

Painted by Sr Jos.a Reynolds

Engraved by Jn.o Hall



Painted by Sr Jos.a Reynolds

Engraved by Jn.o Hall

THE

HISTORY

OF

SCOTLAND

DURING THE REIGNS OF

Queen MARY, and of King JAMES VI.

TILL

His ACCESSION to the Crown of ENGLAND.

WITH A

REVIEW of the SCOTTISH HISTORY previous to that Period;
And an APPENDIX containing ORIGINAL PAPERS.

By WILLIAM ROBERTSON, D. D.

PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND
HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

THE THIRTEENTH EDITION,
WITH ALTERATIONS AND ADDITIONS.

LONDON:
PRINTED FOR T. CADELL, IN THE STRAND.
MDCCXCI.

PREFACE

TO THE

FIRST EDITION.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former hiftorians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers, and to produce the evidence, on which, at the diftance of two centuries, I presume to contradict the teftimony of lefs remote, or even of contemporary hiftorians.

The tranfactions in Mary's reign gave rife to two parties, which were animated against each other with the fierceft political hatred, embittered by religious zeal. Each of thefe produced hiftorians of confiderable merit, who adopted all their fentiments, and defended all their actions. Truth was not the fole object of thefe authors. Blinded by prejudices, and heated by the part which they themfelves had acted in the fcenes they defcribe, they wrote an apology for a faction, rather than the hiftory of their country. Succeeding Hiftorians have followed thefe guides almoft implicitly, and have repeated their errors and mifrepresentations. But, as the fame paffions which inflamed parties in that age have defcended to their poflerity

PREFACE

TO THE

FIRST EDITION.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

BUT as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the distance of two centuries, I presume to contradict the testimony of less remote, or even of contemporary historians.

THE transactions in Mary's reign gave rise to two parties, which were animated against each other with the fiercest political hatred, embittered by religious zeal. Each of these produced historians of considerable merit, who adopted all their sentiments, and defended all their actions. Truth was not the sole object of these authors. Blinded by prejudices, and heated by the part which they themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding Historians have followed these guides almost implicitly, and have repeated their errors and misrepresentations. But, as the same passions which inflamed parties in that age have descended to their

posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager spirit of controversy soon discovered, that without some evidence more authentic and more impartial than that of such Historians, none of the points in question could be decided with certainty. Records have therefore been searched, original papers have been produced, and public archives, as well as the repositories of private men, have been ransacked by the zeal and curiosity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted so conspicuous a part, hath provided such an immense store of original papers for illustrating this part of the English and Scottish history, as are almost sufficient to satisfy the utmost avidity of an Antiquarian. Sir Robert Cotton (whose library is now the property of the Public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Cabala, Anderson, Keith, Haines, Forbes, have drawn most of the papers which they have printed. No History of Scotland, that merits any degree of attention, has appeared since these collections were published. By consulting them, I have been enabled, in many instances, to correct the inaccuracies of former Historians, to avoid their mistakes, and to detect their misrepresentations.

But many important papers have escaped the notice of those industrious Collectors; and, after all they have produced to light, much still remained in darkness, unobserved or unpublished. It was my duty to search for these; and I found this unpleasant task attended with considerable utility.

The library of the Faculty of Advocates at Edinburgh, contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no less curious, which have been preserved by Sir Robert Cotton, or are extant in the Public Offices in England. Of all these the Curators of that library were pleased to allow me the perusal.

Though the British Museum be not yet open to the Public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great and polished nation.

That valuable and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he published only two volumes, having been purchased since his death by the Lord Viscount Royston, his Lordship was so good as to allow me the use of fourteen volumes in quarto, containing that part of them which is connected with my subject.

Sir Alexander Dick communicated to me a very valuable collection of original papers in two large volumes. They relate chiefly to the reign of James. Many of them are marked with Archbishop Spotiswood's hand, and it appears from several passages in his history, that he had perused them with great attention.

Mr. Calderwood, an eminent Presbyterian Clergyman of the last century, compiled an history of Scotland from the beginning of the reign of James V. to the death of James VI. in six large volumes, wherein he has inserted many papers of consequence, which are no where else to be found. This History has not been published; but a copy of it, which still remains in manuscript, in the possession of the church of Scotland, was put into my hands by my worthy friend the Reverend Doctor George Wishart, principal Clerk of the church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conspiracy; but, by explaining to me his sentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

Mr. Goodall, though he knew my sentiments with regard to the conduct and character of Queen Mary

to

to be extremely different from his own, communicated to me a volume of manuſcripts in his poſſeſſion, which contains a great number of valuable papers copied from the originals in the Cottonian Library and Paper-office, by the late Reverend Mr. Crawford, Regius Profeſſor of Church Hiſtory in the Univerſity of Edinburgh. I likewiſe received from him the original Regiſter of letters kept by the Regent Lennox during his adminiſtration.

I HAVE conſulted all theſe papers, as far as I thought they could be of any uſe towards illuſtrating that period of which I write the hiſtory. With what ſucceſs I have employed them to confirm what was already known, to aſcertain what was dubious, or to determine what was controverted, the Public muſt judge.

I MIGHT eaſily have drawn, from the different repoſitories to which I had acceſs, as many papers as would have rendered my Appendix equal in ſize to the moſt bulky collection of my predeceſſors. But I have ſatisfied myſelf with publiſhing a few of the moſt curious among them, to which I found it neceſſary to appeal as vouchers for my own veracity. None of theſe, as far as I can recollect, ever appeared in any former collection.

I HAVE added a *Critical Diſſertation concerning the murder of King Henry, and the genuineneſs of the Queen's letters to Bothwell.* The facts and obſervations which relate to Mary's letters, I owe to my friend Mr. John Davidſon, one of the Clerks to the Signet, who hath examined this point with his uſual acuteneſs and induſtry.

PREFACE
TO THE
ELEVENTH EDITION.

IT is now twenty-eight years since I published the History of Scotland. During that time I have been favoured by my friends with several remarks upon it; and various strictures have been made by persons, who entertained sentiments different from mine, with respect to the transactions in the reign of Queen Mary. From whatever quarter information came, in whatever mode it has been communicated, I have considered it calmly and with attention. Wherever I perceived that I had erred, either in relating events, or in delineating characters, I have, without hesitation, corrected those errors. Wherever I am satisfied that my original ideas were just and well-founded, I adhere to them; and, resting upon their conformity to evidence already produced, I enter into no discussion or controversy in order to support them. Wherever the opportunity of consulting original papers either in print or in manuscript, to which I had not formerly access, has enabled me to throw new light upon any part of the History, I have made alterations and additions, which, I flatter myself, will be found to be of some importance.

COLLEGE OF EDINBURGH,
March 5th, 1787.

PRELIMINARIES

TO THE

REVISED EDITION

THE

HISTORY

OF

SCOTLAND.

BOOK I.

Containing a Review of the SCOTTISH *History previous to the Death of* JAMES V.

BOOK I.

THE first ages of the Scottish history are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events, which happened during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the North of Europe, the continual migrations of its inhabitants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. History, which ought to record truth and to teach wisdom, often sets out with retailing fictions and absurdities.

The origin of nations fabulous and obscure.

THE Scots carry their pretensions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, still more uncertain, they reckon up a series of kings several ages before the birth of

Origin of the Scots.

BOOK I. Christ; and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earliest accounts on which we can depend, not from their own, but
A. D. 81. from the Roman authors. When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a fierce and warlike people; and having repulsed, rather than conquered them, they erected a strong wall between the firths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of the difficulty of defending
A. D. 121. such a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding Emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans, and that of the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other Barbarians obliged the Romans, in order to defend the centre of their empire, to recal those legions which guarded the frontier provinces; and at that time they quitted all their conquests in Britain.

A. D. 421. THEIR long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans, for the art of writing, and the use of numbers, without which it is impossible long to preserve the memory of past events.

NORTH BRITAIN was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author before the end of the fourth century, were probably a colony of the Celtæ or Gauls: their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive, with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous Annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during several ages, carried on between them and the
A. D. 838. Picts. At length, Kenneth II. the sixty-ninth King of the Scots (according to their own fabulous authors) obtained a complete victory over the Picts, and united under one monarchy, all the country, from the wall of Adrian, to the northern ocean. The kingdom, henceforward, became known by its present name, which it derived from a people

who at first settled there as strangers, and remained long obscure and inconsiderable. BOOK I.

From this period the history of Scotland would merit some attention, were it accompanied with any certainty. But as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the thirteenth century, this monarch called in question the independence of Scotland; pretending that the kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, which tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and commanded the rest to be burned[a]. An universal oblivion of past transactions might have been the effect of this fatal event, but some imperfect Chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and worthy of credit. These broken fragments John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them gleaned materials which he formed into a regular history. His work was received by his countrymen with applause; and, as no recourse could be had to more ancient records, it supplied the place of the authentic annals of the kingdom. It was copied in many monasteries, and the thread of the narrative was continued by different monks, through the subsequent reigns. In the beginning of the sixteenth century, John Major and Hector Boethius published their histories of Scotland, the former a succinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the same work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taste, and to the purity and vigour of his style, his history might be placed on a level with the most admired compositions of the ancients. But, instead of rejecting the improbable tales of Chronicle writers, he was at the utmost pains to adorn them; and hath clothed, with all the beau-

History of Scotland peculiarly obscure.

[a] Innes, Essay 552.

BOOK I.

ties and graces of fiction, thoſe legends, which formerly had only its wildneſs and extravagance.

Four remarkable æras in the Scottiſh hiſtory.

THE hiſtory of Scotland may properly be divided into four periods. The firſt reaches from the origin of the monarchy, to the reign of Kenneth II. The ſecond from Kenneth's conqueſt of the Picts, to the death of Alexander III. The third extends to the death of James V. The laſt, from thence to the acceſſion of James VI. to the crown of England.

THE firſt period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the induſtry and credulity of antiquaries. Truth begins to dawn in the ſecond period, with a light, feeble at firſt, but gradually increaſing, and the events which then happened may be ſlightly touched, but merit no particular or laborious inquiry. In the third period, the hiſtory of Scotland, chiefly by means of records preſerved in England, becomes more authentic: not only are events related, but their cauſes and effects explained; the characters of the actors are diſplayed; the manners of the age deſcribed; the revolutions in the conſtitution pointed out: and here every Scotſman ſhould begin not to read only, but to ſtudy the hiſtory of his country. During the fourth period, the affairs of Scotland were ſo mingled with thoſe of other nations, its ſituation in the political ſtate of Europe was ſo important, its influence on the operations of the neighbouring kingdoms was ſo viſible, that its hiſtory becomes an object of attention to foreigners; and without ſome knowledge of the various and extraordinary revolutions which happened there, they cannot form a juſt notion with reſpect either to the moſt illuſtrious events, or to the characters of the moſt diſtinguiſhed perſonages in the ſixteenth century.

A review of the third æra.

THE following hiſtory is confined to the laſt of theſe periods: to give a view of the political ſtate of the kingdom during that which immediately preceded it, is the deſign of this preliminary Book. The imperfect knowledge which ſtrangers have of the affairs of Scotland, and the prejudices Scotſmen themſelves have imbibed with regard to the various revolutions in the government of their country, render ſuch an introduction equally neceſſary to both.

THE period from the death of Alexander III. to the death of James V. contains upwards of two centuries and a half, from the year one thouſand two hundred and eighty-ſix, to the year one thouſand five hundred and forty-two.

Riſe of the controverſy

IT opens with the famous controverſy concerning the independence of Scotland. Before the union of the two kingdoms,

concerning the independence of Scotland.

doms, this was a queſtion of much importance. If the one crown had been conſidered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, muſt have been deemed the conceſſion of a Sovereign to his vaſſal. Accordingly, about the beginning of the preſent century, and while a treaty of union between the two kingdoms was negociating, this controverſy was agitated with all the heat which national animoſities naturally inſpire. What was then the ſubject of ſerious concern, the union of the two kingdoms had rendered a matter of mere curioſity. But though the objects which at that time warmed and intereſted both nations, exiſt no longer, a queſtion which appeared ſo momentous to our anceſtors, cannot be altogether indifferent or uninſtructive to us.

SOME of the northern counties of England were early in the hands of the Scottiſh Kings, who, as far back as the feudal cuſtoms can be traced, held theſe poſſeſſions of the Kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in no wiſe derogatory from their royal dignity. Nothing is more ſuitable to feudal ideas, than that the ſame perſon ſhould be both a Lord and a Vaſſal, independent in one capacity, and dependent in another[b]. The Crown of England was, without doubt, imperial and independent, though the Princes who wore it were, for many ages, the vaſſals of the Kings of France; and, in conſequence of their poſſeſſions in that kingdom, bound to perform all the ſervices which a feudal Sovereign has a title to exact. The ſame was the condition of the Monarchs of Scotland; free and independent as Kings of their own country, but, as poſſeſſing Engliſh territories, vaſſals to the King of England. The Engliſh Monarchs, ſatisfied with their legal and uncontroverted rights, were, during a long period, neither capable, nor had any thoughts of uſurping more. England, when conquered by the Saxons, being divided by them into many ſmall kingdoms, was in no condition to extend its dominion

[b] A very ſingular proof of this occurs in the French hiſtory. Arpin ſold the vicomté of the city Bourges to Philip I. who did homage to the count of Sancerre for a part of theſe lands, which held of that Nobleman, A. D. 1100. I believe that no example of a King's doing homage to one of his own ſubjects, is to be met with in the hiſtories either of England or Scotland. Philip le Bel aboliſhed this practice in France A. D. 1302. *Henaut Abregé Chronol.* Somewhat ſimilar to this, is a charter of the Abbot of Melroſs, A. D. 1535, conſtituting James V. the Bailiff or Steward of that Abby, veſting in him all the powers which pertained to that office, and requiring him to be anſwerable to the Abbot for his exerciſe of the ſame. *Archiv. publ. Edin.*

BOOK I.

over Scotland, united at that time under one Monarch. And though theſe petty principalities were gradually formed into one kingdom, the reigning princes, expoſed to continual invaſions of the Danes, and often ſubjected to the yoke of thoſe formidable pirates, ſeldom turned their arms towards Scotland, and were little able to eſtabliſh new rights in that country. The firſt Kings of the Norman race, buſied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themſelves on the throne which ſome of them poſſeſſed by a very dubious title, were as little ſolicitous to acquire new authority, or to form new pretenſions in Scotland. An unexpected calamity that befel one of the Scottiſh Kings firſt encouraged the Engliſh to think of bringing his kingdom under dependence. William ſirnamed the Lion being taken priſoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ranſom, and a promiſe to ſurrender the places of greateſt ſtrength in his dominions, but compelled him to do homage for his whole kingdom. Richard I. a generous Prince, ſolemnly renounced this claim of homage, and abſolved William from the hard conditions which Henry had impoſed. Upon the death of Alexander III. near a century after, Edward I. availing himſelf of the ſituation of affairs in Scotland, acquired an influence in that kingdom which no Engliſh Monarch before him ever poſſeſſed, and, imitating the intereſted policy of Henry, rather than the magnanimity of Richard, revived the claim of ſovereignty to which the former had pretended.

Pretenſions of Bruce and Baliol examined.

MARGARET of Norway, Grand-daughter of Alexander, and heir to his crown, did not long ſurvive him. The right of ſucceſſion belonged to the deſcendants of David Earl of Huntingdon, third ſon of King David I. Among theſe, Robert Bruce, and John Baliol, two illuſtrious competitors for the crown, appeared. Bruce was the ſon of Iſabel, Earl David's ſecond daughter; Baliol, the grandſon of Margaret the eldeſt daughter. According to the rules of ſucceſſion which are now eſtabliſhed, the right of Baliol was preferable, and, notwithſtanding Bruce's plea of being nearer in blood to Earl David, Baliol's claim, as the repreſentative of his mother and grandmother, would be deemed inconteſtable. But in that age, the order of ſucceſſion was not aſcertained with the ſame preciſion. The queſtion appeared to be no leſs intricate, than it was important. Though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals was ſupported by a powerful faction. Arms alone, it was feared, muſt terminate a diſpute too weighty

weighty for the laws to decide. But, in order to avoid the miſeries of a civil war, Edward was choſen umpire, and both parties agreed to acquieſce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerneſs to guard againſt a civil war, was not only expoſed to that calamity, but almoſt ſubjected to a foreign yoke. Edward was artful, brave, enterpriſing, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to ſacrifice their country in order to obtain even a dependent Crown, invited him firſt to ſeize, and then to ſubject the kingdom. The authority of an umpire, which had been unwarily beſtowed upon him, and from which the Scots dreaded no dangerous conſequences, enabled him to execute his ſchemes with the greater facility. Under pretence of examining the queſtion with the utmoſt ſolemnity, he ſummoned all the Scottiſh Barons to Norham, and having gained ſome, and intimidated others, he prevailed on all who were preſent, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland to be a fief of the Engliſh Crown, and to ſwear fealty to him as their *Sovereign* or *Liege Lord*. This ſtep led to another ſtill more important. As it was vain to pronounce a ſentence which he had not power to execute, Edward demanded poſſeſſion of the kingdom, that he might be able to deliver it to him whoſe right ſhould be found preferable; and ſuch was the puſillanimity of the nobles, and the impatient ambition of the competitors, that both aſſented to this ſtrange demand, and Gilbert de Umfraville, Earl of Angus, was the only man who refuſed to ſurrender the caſtles in his cuſtody to the enemy of his country. Edward finding Baliol the moſt obſequious and the leaſt formidable of the two competitors, ſoon after gave judgment in his favour. Baliol once more profeſſed himſelf the vaſſal of England, and ſubmitted to every condition which the Sovereign whom he had now acknowledged was pleaſed to preſcribe.

EDWARD, having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reaſon to conclude that his dominion was now fully eſtabliſhed. But he began too ſoon to aſſume the maſter; his new vaſſals, fierce and independent, bore with impatience a yoke, to which they were not accuſtomed. Provoked by his haughtineſs, even the paſſive ſpirit of Baliol began to mutiny. But Edward, who had no longer uſe for ſuch a pageant king, forced him to reſign the Crown, and openly attempted to ſeize it as fallen to himſelf by the rebellion

BOOK I. of his vaſſal. At that critical period aroſe Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath aſcribed many fabulous acts of proweſs, though his real valour, as well as integrity and wiſdom, are ſuch as need not the heightenings of fiction. He, almoſt ſingle, ventured to take arms in defence of the kingdom, and his boldneſs revived the ſpirit of his countrymen. At laſt, Robert Bruce, the grandſon of him who ſtood in competition with Baliol, appeared to aſſert his own rights, and to vindicate the honour of his country. The nobles, aſhamed of their former baſeneſs, and enraged at the many indignities offered to the nation, crowded to his ſtandard. In order to cruſh him at once, the Engliſh Monarch entered Scotland, at the head of a mighty army. Many battles were fought, and the Scots, though often vanquiſhed, were not ſubdued. The ardent zeal with which the nobles contended for the independence of the kingdom, the prudent valour of Bruce, and above all a national enthuſiaſm inſpired by ſuch a cauſe, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his ſubjects. Though the war continued with little intermiſſion upwards of ſeventy years, Bruce and his poſterity kept poſſeſſion of the throne of Scotland, and reigned with an authority not inferior to that of its former Monarchs.

But while the ſword, the ultimate judge of all diſputes between contending nations, was employed to terminate this controverſy, neither Edward nor the Scots ſeemed to diſtruſt the juſtice of their cauſe; and both appealed to hiſtory and records, and from theſe produced, in their own favour, ſuch evidence as they pretended to be unanſwerable. The letters and memorials addreſſed by each party to the Pope, who was then reverenced as the common father, and often appealed to as the common judge of all Chriſtian Princes, are ſtill extant. The fabulous tales of the early Britiſh hiſtory; the partial teſtimony of ignorant Chroniclers; ſuppoſititious treaties and charters; are the proofs on which Edward founded his title to the ſovereignty of Scotland; and the homage done by the Scottiſh monarchs for their lands in England is prepoſterouſly ſuppoſed to imply the ſubjection of their whole kingdom[c]. Ill founded, however, as their right was, the Engliſh did not fail to revive it, in all the ſubſequent quarrels between the two kingdoms; while the Scots diſclaimed it with the utmoſt indignation. To this we muſt impute the fierce and implacable hatred to each

[c] Anderſon's Hiſtorical Eſſay concerning the Independency, &c.

other,

other, which long inflamed both. Their national antipathies were excited, not only by the uſual circumſtances of frequent hoſtilities, and reciprocal injuries; but the Engliſh conſidered the Scots as vaſſals who had preſumed to rebel, and the Scots, in their turn, regarded the Engliſh as uſurpers who aimed at enſlaving their country.

1306. State of the kingdom when Bruce began his reign.

At the time when Robert Bruce began his reign in Scotland, the ſame form of government was eſtabliſhed in all the kingdoms of Europe. This ſurpriſing ſimilarity in their conſtitution and laws demonſtrates that the nations which overturned the Roman empire, and erected theſe kingdoms, though divided into different tribes, and diſtinguiſhed by different names, were either derived originally from the ſame ſource, or had been placed in ſimilar ſituations. When we take a view of the feudal ſyſtem of laws and policy, that ſtupendous and ſingular fabric erected by them, the firſt object that ſtrikes us is the King. And when we are told that he is the ſole proprietor of all the lands within his dominions, that all his ſubjects derive their poſſeſſions from him, and in return conſecrate their lives to his ſervice; when we hear that all marks of diſtinction, and titles of dignity, flow from him as the only fountain of honour; when we behold the moſt potent peers on their bended knees, and with folded hands, ſwearing fealty at his feet, and acknowledging him to be their *Sovereign* and their *Liege Lord*; we are apt to pronounce him a powerful, nay an abſolute monarch. No concluſion, however, would be more raſh, or worſe founded. The genius of the feudal government was purely ariſtocratical. With all the enſigns of royalty, and with many appearances of deſpotic power, a feudal king was the moſt limited of all princes.

Origin of the feudal government, and its ariſtocratical genius.

Before they ſallied out of their own habitations to conquer the world, many of the northern nations ſeemed not to have been ſubject to the government of kings[d]; and even where monarchical government was eſtabliſhed, the Prince poſſeſſed but little authority. A General rather than a King, his military command was extenſive, his civil juriſdiction almoſt nothing[e]. The army which he led was not compoſed of ſoldiers, who could be compelled to ſerve, but of ſuch as voluntarily followed his ſtandard[f]. Theſe conquered not for their leader, but for themſelves; and being free in their own country, renounced not their liberty when they acquired new ſettlements. They did not exterminate the ancient inhabitants of the countries which they ſub-

[d] Cæſ. lib. vi. c. 23. [e] Tacit. de Mor. Germ. c. 7. 11. [f] Cæſ. ibid.

dued,

BOOK I.

dued, but ſeizing the greater part of their lands, they took their perſons under protection. The difficulty of maintaining a new conqueſt, as well as the danger of being attacked by new invaders, rendering it neceſſary to be always in a poſture of defence, the form of government which they eſtabliſhed was altogether military, and nearly reſembled that to which they had been accuſtomed in their native country. Their General ſtill continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of *beneficia* or *fiefs*, was divided amongſt his principal officers. As the common ſafety required that theſe officers ſhould, upon all occaſions, be ready to appear in arms, for the common defence, and ſhould continue obedient to their General, they bound themſelves to take the field, when called, and to ſerve him with a number of men, in proportion to the extent of their territory. Theſe great officers again parcelled out their lands among their followers, and annexed the ſame condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military ſubordination was eſtabliſhed, and the poſſeſſion of land was the pay which ſoldiers received for their perſonal ſervice. In conſequence of theſe notions, the poſſeſſion of land was granted during pleaſure only, and Kings were elective. In other words, an officer diſagreeable to his General was deprived of his pay, and the perſon who was moſt capable of conducting an army was choſen to command it. Such were the firſt rudiments, or infancy of feudal government.

But long before the beginning of the fourteenth century, the feudal ſyſtem had undergone many changes, of which the following were the moſt conſiderable. Kings, formerly elective, were then hereditary; and fiefs, granted at firſt during pleaſure, deſcended from father to ſon, and were become perpetual. Theſe changes, not leſs advantageous to the nobles than to the prince, made no alteration in the ariſtocratical ſpirit of the feudal conſtitution. The king, who at a diſtance ſeemed to be inveſted with majeſty and power, appears, on a nearer view, to poſſeſs almoſt none of thoſe advantages which beſtow on monarchs their grandeur and authority. His revenues were ſcanty; he had not a ſtanding army; and the juriſdiction he poſſeſſed was circumſcribed within very narrow limits.

General cauſes which limitted the power of the feudal monarchs.

At a time when pomp and ſplendor were little known, even in the palaces of kings; when the officers of the crown received ſcarcely any ſalary beſides the fees and perquiſites of their office; when embaſſies to foreign courts were rare; when armies

Their revenues were ſmall.

armies were compoſed of ſoldiers who ſerved without pay; it was not neceſſary that a king ſhould poſſeſs a great revenue; nor did the condition of Europe, in thoſe ages, allow its princes to be opulent. Commerce made little progreſs in the kingdoms where the feudal government was eſtabliſhed. Inſtitutions, which had no other object but to inſpire a martial ſpirit, to train men to be ſoldiers, and to make arms the only honourable profeſſion, naturally diſcouraged the commercial arts. The revenues, ariſing from the taxes, impoſed on the different branches of commerce, were by conſequence inconſiderable; and the prince's treaſury received little ſupply, from a ſource, which, among a trading people, flows with ſuch abundance, and is almoſt inexhauſtible. A fixed tax was not levied even on land; ſuch a burthen would have appeared intolerable to men who received their eſtates as the reward of their valour, and who conſidered their ſervice in the field as a full retribution for what they poſſeſſed. The king's *demeſnes*, or the portion of land which he ſtill retained in his own hands unalienated, furniſhed ſubſiſtence to his court, and defrayed the ordinary expence of government [g]. The only ſtated taxes which the feudal law obliged vaſſals to pay to the king, or to thoſe of whom they held their lands, were three; one when his eldeſt ſon was made a knight; another when his eldeſt daughter was married; and a third in order to ranſom him if he ſhould happen to be taken priſoner. Beſides theſe, the king received the feudal caſualties of the ward, marriage, &c. of his own vaſſals. And, on ſome extraordinary occaſions, his ſubjects granted him an aid, which they diſtinguiſhed by the name of a *benevolence*, in order to declare that he received it not in conſequence of any right, but as a gift, flowing from their good will [h]. All theſe added together, produced a revenue, ſo ſcanty and precarious as naturally incited a feudal monarch to aim at diminiſhing the exorbitant power and wealth of the nobility, but inſtead of enabling him to carry on his ſchemes with full effect, kept him in continual indigence, anxiety, and dependence.

BOOK I.

Nor could the king ſupply the defect of his revenues, by the terror of his arms. Mercenary troops and ſtanding armies were unknown, as long as the feudal government ſubſiſted in vigour. Europe was peopled with ſoldiers. The vaſſals of the king, and the ſub-vaſſals of the barons, were all obliged to carry arms. While the poverty of princes

They had no ſtanding armies.

[g] Craig de Feud. Lib. i. Dieg. 14. Du Cange Gloſſ. voc. Dominicum.
[h] Du Cange, voc. Auxilium.

prevented

BOOK I.

prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the deciſion of a battle, an army, without pay and with little diſcipline, was ſufficient for all the purpoſes both of the ſecurity and of the glory of the nation. Such an army, however, far from being an engine at the king's diſpoſal, was often no leſs formidable to him, than to his enemies. The more warlike any people were, the more independent they became; and the ſame perſons being both ſoldiers and ſubjects, civil privileges and immunities were the conſequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our preſent forms of government, often render the tyrants of their own people, as well as the ſcourges of mankind, were commonly, under the feudal conſtitution, the moſt indulgent of all princes to their ſubjects, becauſe they ſtood moſt in need of their aſſiſtance. A prince, whom even war and victories did not render the maſter of his own army, poſſeſſed hardly any ſhadow of military power during times of peace. His diſbanded ſoldiers mingled with his other ſubjects; not a ſingle man received pay from him; many ages elapſed even before a guard was appointed to defend his perſon; and deſtitute of that great inſtrument of dominion, a ſtanding army, the authority of the king continued always feeble, and was often contemptible.

Their juriſdiction was limited.

NOR were theſe the only circumſtances which contributed towards depreſſing the regal power. By the feudal ſyſtem, as has been already obſerved, the king's judicial authority was extremely circumſcribed. At firſt, princes ſeem to have been the ſupreme judges of their people, and, in perſon, heard and determined all controverſies among them. The multiplicity of cauſes ſoon made it neceſſary to appoint judges, who, in the king's name, decided matters that belonged to the royal juriſdiction. But the Barbarians, who over-ran Europe, having deſtroyed moſt of the great cities, and the countries which they ſeized being cantoned out among powerful chiefs, who were blindly followed by numerous dependants, whom, in return, they were bound to protect from every injury; the adminiſtration of juſtice was greatly interrupted, and the execution of any legal ſentence became almoſt impracticable. Theft, rapine, murder, and diſorder of all kinds, prevailed in every kingdom of Europe, to a degree almoſt incredible, and ſcarce compatible with the ſubſiſtence of civil ſociety. Every offender ſheltered himſelf under the protection of ſome powerful chieftain, who ſcreened him from the purſuits of

of juſtice. To apprehend, and to puniſh a criminal, often required the union and effort of half a kingdom [i]. In order to remedy theſe evils, many perſons of diſtinction were entruſted with the adminiſtration of juſtice within their own territories. But what we may preſume was, at firſt, only a temporary grant, or a perſonal privilege, the incroaching ſpirit of the nobles gradually converted into a right, and rendered hereditary. The lands of ſome were, in proceſs of time, erected into *Baronies*, thoſe of others into *Regalities*. The juriſdiction of the former was extenſive; that of the latter, as the name implies, royal, and almoſt unbounded. All cauſes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's courts called any perſon within his territory before them, the lord of regality might put a ſtop to their proceedings, and by the privilege of *repledging*, remove the cauſe to his own court, and even puniſh his vaſſal, if he ſubmitted to a foreign juriſdiction [k]. Thus almoſt every queſtion, in which any perſon who reſided on the lands of the nobles was intereſted, being determined by judges appointed by the nobles themſelves, their vaſſals were hardly ſenſible of being, in any degree, ſubject to the crown. A feudal kingdom was ſplit into many ſmall principalities, almoſt independent, and held together by a feeble and commonly an imperceptible bond of union. The king was not only ſtripped of the authority annexed to the perſon of a ſupreme judge, but his revenue ſuffered no ſmall diminution, by the loſs of thoſe pecuniary emoluments, which were, in that age, due to the perſon who adminiſtered juſtice.

[i] A remarkable inſtance of this occurs in the following hiſtory, ſo late as the year one thouſand five hundred and ſixty-one. Mary, having appointed a court of juſtice to be held on the borders, the inhabitants of no leſs than eleven counties were ſummoned to guard the perſon, who was to act as judge, and to enable him to enforce his deciſions. The words of a proclamation, which afford ſuch a convincing proof of the feebleneſs of the feudal government, deſerve our notice.—"And becauſe it is neceſſary for the execution of her Highneſs' commandments and ſervice, that her juſtice be well accompanied, and her authority ſufficiently fortified, by the concurrence of a good power of her faithful ſubjects—I therefore commands and charges all and ſundry Earls, Lords, Barons, Freeholders, Landedmen, and other Gentlemen, dwelling within the ſaid counties, that they, and every one of them, with their kin, friends, ſervants, and houſehold-men, well bodin in feir of war in the moſt ſubſtantious manner [i. e. completely armed and provided], and with twenty days victuals to meet and paſs forward with him to the borough of Jedburgh, and there to remain during the ſaid ſpace of twenty days, and to receive ſuch direction and commands, as ſhall be given by him to them in our Sovereign Lady's name for quietneſs of the county; and to put the ſame in execution under the pain of loſing their life, lands, and goods." Keith's Hiſt. of Scotland, 198.

[k] Craig, lib. iii. Dieg. 7.

BOOK I. In the ſame proportion that the king ſunk in power, the nobles roſe towards independence. Not ſatisfied with having obtained a hereditary right to their fiefs, which they formerly held during pleaſure, their ambition aimed at ſomething bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their poſſeſſions unalienable and everlaſting. As they had full power to add to the inheritance tranſmitted to them from their anceſtors, but none to diminiſh it; time alone, by means of marriages, legacies, and other accidents, brought continual acceſſions of wealth and of dignity; a great family, like a river, became conſiderable from the length of its courſe, and as it rolled on, new honours and new property flowed ſucceſſively into it. Whatever influence is derived from titles of honour, the feudal barons likewiſe poſſeſſed in an ample manner. Theſe marks of diſtinction are, in their own nature, either official or perſonal, and being annexed to a particular charge, or beſtowed by the admiration of mankind upon illuſtrious characters, ought to be appropriated to theſe. But the ſon, however unworthy, could not bear to be ſtripped of that appellation by which his father had been diſtinguiſhed. His preſumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new luſtre to nobles already in poſſeſſion of too much power. Something more audacious and more extravagant ſtill remained. The ſupreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and ſafety of princes, as well as of their people, depended upon the fidelity and abilities of theſe officers. But ſuch was the prepoſterous ambition of the nobles, and ſo ſucceſsful even in their wildeſt attempts to aggrandize themſelves, that in all the kingdoms where the feudal inſtitutions prevailed, moſt of the chief offices of ſtate were annexed to great families, and held, like fiefs, by hereditary right. A perſon whoſe undutiful behaviour rendered him odious to his prince, or whoſe incapacity expoſed him to the contempt of the people, often held a place of power and truſt of the greateſt importance to both. In Scotland, the offices of Lord Juſtice General, Great Chamberlain, High Steward, High Conſtable, Earl Marſhal, and High Admiral, were all hereditary; and in many counties, the office of Sheriff was held in the ſame manner.

Nobles, whoſe property was ſo extenſive, and whoſe power was ſo great, could not fail of being turbulent and formidable. Nor did they want inſtruments for executing their boldeſt deſigns. That portion of their lands, which they

they parcelled out among their followers, ſupplied them with a numerous band of faithful and determined vaſſals; while that which they retained in their own hands, enabled them to live with a princely ſplendor. The great hall of an ambitious baron was often more crowded than the court of his ſovereign. The ſtrong caſtles in which they reſided, afforded a ſecure retreat to the diſcontented and ſeditious. A great part of their revenue was ſpent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat to appear in the court of their ſovereign, they were accompanied, even in times of peace, with a vaſt train of armed followers. The uſual retinue of William the ſixth Earl of Douglas conſiſted of two thouſand horſe. Thoſe of the other nobles were magnificent and formidable in proportion. Impatient of ſubordination, and forgetting their proper rank, ſuch potent and haughty barons were the rivals, rather than the ſubjects, of their prince. They often deſpiſed his orders, inſulted his perſon, and wreſted from him his crown. The hiſtory of Europe, during ſeveral ages, contains little elſe but the accounts of the wars and revolutions occaſioned by their exorbitant ambition.

Their power greater in Scotland than in any other kingdom.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preſerved between a king and his nobles was almoſt entirely loſt in Scotland. The Scottiſh nobles enjoyed, in common with thoſe of other nations, all the means for extending their authority which ariſe from the ariſtocratical genius of the feudal government. Beſides theſe, they poſſeſſed advantages peculiar to themſelves: the accidental ſources of their power were conſiderable; and ſingular circumſtances concurred with the ſpirit of the conſtitution to aggrandize them. To enumerate the moſt remarkable of theſe, will ſerve both to explain the political ſtate of the kingdom, and to illuſtrate many important occurrences in the period now under our review.

The particular cauſes of this.

The nature of the country.

I. The nature of their country was one cauſe of the power and independence of the Scottiſh nobility. Level and open countries are formed for ſervitude. The authority of the ſupreme magiſtrate reaches with eaſe to the moſt diſtant corners; and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are ſoon detected and puniſhed. Mountains, and fens, and rivers, ſet bounds to deſpotic power, and amidſt theſe is the natural ſeat of freedom and independence. In ſuch places did the Scottiſh nobles uſually fix their reſidence. By retiring to his own caſtle, a mutinous baron could defy the power of his

BOOK I.

his ſovereign, it being almoſt impracticable to lead an army, through a barren country, to places of difficult acceſs to a ſingle man. The ſame cauſes which checked the progreſs of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottiſh nobles from the vengeance of their prince; and they owed their perſonal independence to thoſe very mountains and marſhes which ſaved their country from being conquered.

The ſmall number of great cities.

II. The want of great cities in Scotland contributed not a little to increaſe the power of the nobility, and to weaken that of the prince. Wherever numbers of men aſſemble together, order muſt be eſtabliſhed, and a regular form of government inſtituted; the authority of the magiſtrate muſt be recogniſed, and his deciſions meet with prompt and full obedience. Laws and ſubordination take riſe in cities; and where there are few cities as in Poland, or none as in Tartary, there are few or no traces of a well-arranged police. But under the feudal governments, commerce, the chief means of aſſembling mankind, was neglected; the nobles, in order to ſtrengthen their influence over their vaſſals, reſided among them, and ſeldom appeared at court, where they found a ſuperior, or dwelt in cities, where they met with equals. In Scotland, the fertile counties in the South lying open to the Engliſh, no town ſituated there could riſe to be great or populous amidſt continual inroads and alarms: the reſidence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in conſequence of theſe peculiar circumſtances, added to the general cauſes flowing from the nature of the feudal inſtitutions, the towns in Scotland were extremely few, and very inconſiderable. The vaſſals of every baron occupied a diſtinct portion of the kingdom, and formed a ſeparate and almoſt independent ſociety. Inſtead of giving aid towards reducing to obedience their ſeditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obſtructed the operations of juſtice to the utmoſt. The prince was obliged to connive at criminals whom he could not reach; the nobles, conſcious of this advantage, were not afraid to offend; and the difficulty of puniſhing almoſt aſſured them of impunity.

The inſtitution of clans.

III. The diviſion of the country into clans had no ſmall effect in rendering the nobles conſiderable. The nations which over-ran Europe were originally divided into many ſmall tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to beſtow a portion, in the firſt place, upon thoſe of his

own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronymical, or local, long before the introduction of surnames, or *ensigns armorial*. But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity, which was at first in a great measure imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader whom they regarded both as the superior of their lands and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms we may observe such unions as we have described imperfectly formed; but in Scotland, whether they were the production of chance, or the effect of policy, or introduced by the Irish colony above mentioned, and strengthened by carefully preserving their genealogies both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, rushed into the field at his command, ever ready to sacrifice their lives in defence of his person or of his fame; against such men a king contended with great disadvantage; and that cold service which money purchases, or authority extorts, was not an equal match for their ardour and zeal.

The small number of the nobles.

IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient Thanes were the equals and the rivals of their prince. Many of the earls and barons who succeeded them, were masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such

BOOK I. overgrown proprietors. But the power of an ariſtocracy always diminiſhes in proportion to the increaſe of its numbers; feeble if divided among a multitude, irreſiſtible if centered in a few. When nobles are numerous, their operations nearly reſemble thoſe of the people; they are rouſed only by what they feel, not by what they apprehend; and ſubmit to many arbitrary and oppreſſive acts, before they take arms againſt their ſovereign. A ſmall body, on the contrary, is more ſenſible and more impatient; quick in diſcerning, and prompt in repelling danger; all its motions are as ſudden as thoſe of the other are ſlow. Hence proceeded the extreme jealouſy with which the Scottiſh nobles obſerved their monarchs, and the fierceneſs with which they oppoſed their incroachments. Even the virtue of a prince did not render them leſs vigilant or leſs eager to defend their rights; and Robert Bruce, notwithſtanding the ſplendor of his victories and the glory of his name, was upon the point of experiencing the vigour of their reſiſtance, no leſs than his unpopular deſcendant James III. Beſides this, the near alliance of the great families, by frequent intermarriages, was the natural conſequence of their ſmall number; and as conſanguinity was, in thoſe ages, a powerful bond of union, all the kindred of a nobleman intereſted themſelves in his quarrel, as a common cauſe; and every conteſt the king had, though with a ſingle baron, ſoon drew upon him the arms of a whole confederacy.

Their leagues and combinations.

V. Thoſe natural connexions, both with their equals and with their inferiors, the Scottiſh nobles ſtrengthened by a device, which, if not peculiar to themſelves, was at leaſt more frequent among them, than in any other nation. Even in times of profound peace, they formed aſſociations, which, when made with their equals, were called *leagues of mutual defence*; and when with their inferiors, *bonds of maurent*. By the former, the contracting parties bound themſelves mutually to aſſiſt each other, in all cauſes and againſt all perſons. By the latter, protection was ſtipulated on the one hand, and fidelity and perſonal ſervice promiſed on the other[1]. Self-preſervation, it is probable, forced men at firſt into theſe confederacies; and while diſorder and rapine were univerſal, while government was unſettled, and the authority of laws little known or regarded, near neighbours found it neceſſary to unite in this manner for their ſecurity, and the weak were obliged to court the patronage of the ſtrong. By degrees, theſe aſſociations became ſo many

[1] Act 30. Parl. 1424. Act 43. Parl. 1555.

alliances

alliances offenſive and defenſive againſt the throne; and as their obligation was held to be more ſacred than any tie whatever, they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William the eighth earl of Douglas entered into a league of this kind with the earls of Crawford, Roſs, Murray, Ormond, the lords Hamilton, Balveny, and other powerful barons; and ſo formidable was this combination to the king, that he had recourſe to a meaſure no leſs violent than unjuſt, in order to diſſolve it.

The frequent wars with England.

VI. The frequent wars between England and Scotland proved another cauſe of augmenting the power of the nobility. Nature has placed no barrier between the two kingdoms; a river, almoſt every where fordable, divides them towards the eaſt: on the weſt they are ſeparated by an imaginary line. The ſlender revenues of our kings prevented them from fortifying, or placing garriſons in the towns on the frontier; nor would the jealouſy of their ſubjects have permitted ſuch a method of defence. The barons, whoſe eſtates lay near the borders, conſidered themſelves as bound both in honour and in intereſt to repel the enemy. The *wardenſhips* of the different *marches*, offices of great power and dignity, were generally beſtowed on them. This gained them the leading of the warlike counties in the ſouth; and their vaſſals, living in a ſtate of perpetual hoſtility, or enjoying at beſt an inſecure peace, became more inured to war than even the reſt of their countrymen, and more willing to accompany their chieftain in his moſt hardy and dangerous enterpriſes. It was the valour no leſs than the number of their followers, that rendered the Douglaſes great. The nobles in the northern and midland counties were often dutiful and obſequious to the crown, but our monarchs always found it impracticable to ſubdue the mutinous and ungovernable ſpirit of the borderers. In all our domeſtic quarrels, thoſe who could draw to their ſide the inhabitants of the ſouthern counties, were almoſt ſure of victory; and, conſcious of this advantage, the lords who poſſeſſed authority there, were apt to forget the duty which they owed their ſovereign, and to aſpire beyond the rank of ſubjects.

The frequent minorities which happened in Scotland.

VII. The calamities which befel our kings contributed more than any other cauſe to diminiſh the royal authority. Never was any race of monarchs ſo unfortunate as the Scottiſh. Of ſix ſucceſſive princes, from Robert III. to James VI. not one died a natural death; and the minorities, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to

BOOK I.

James VI. we reckon ten princes; and ſeven of theſe were called to the throne while they were minors, and almoſt infants. Even the moſt regular and beſt eſtabliſhed governments feel ſenſibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulſions. But under the imperfect and ill-adjuſted ſyſtem of government in Scotland, theſe effects were ſtill more fatal; the fierce and mutinous ſpirit of the nobles, unreſtrained by the authority of a king, ſcorned all ſubjection to the delegated juriſdiction of a regent, or to the feeble commands of a minor. The royal authority was circumſcribed within narrower limits than ever; the prerogatives of the crown, naturally inconſiderable, were reduced almoſt to nothing; and the ariſtocratical power gradually roſe upon the ruins of the monarchical. Leſt the perſonal power of a regent ſhould enable him to act with too much vigour, the authority annexed to that office was ſometimes rendered inconſiderable, by being divided; or, if a ſingle regent was choſen, the greater nobles, and the heads of the more illuſtrious families, were ſeldom raiſed to that dignity. It was often conferred upon men who poſſeſſed little influence and excited no jealouſy. They, conſcious of their own weakneſs, were obliged to overlook ſome irregularities, and to permit others; and in order to ſupport their authority, which was deſtitute of real ſtrength, they endeavoured to gain the moſt powerful and active barons, by granting them poſſeſſions and immunities, which raiſed them to ſtill greater power. When the king himſelf came to aſſume the reins of government, he found his revenues waſted or alienated, the crown lands ſeized or given away, and the nobles ſo accuſtomed to independence, that, after the ſtruggles of a whole reign, he was ſeldom able to reduce them to the ſame ſtate in which they had been at the beginning of his minority, or to wreſt from them what they had uſurped during that time. If we take a view of what happened to each of our kings, who was ſo unfortunate as to be placed in this ſituation, the truth and importance of this obſervation will fully appear.

Review of the events favourable to the nobles during each minority.

THE minority of David II. the ſon of Robert Bruce, was diſturbed by the pretenſions of Edward Baliol, who relying on the aid of England, and on the ſupport of ſome diſaffected barons among the Scots, invaded the kingdom. The ſucceſs which at firſt attended his arms, obliged the young king to retire to France; and Baliol took poſſeſſion of the throne. A ſmall body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and after an abſence of nine years, David returned from France, and

1329. David II.

took

took the government of the kingdom into his own hands. But nobles, who were thus wasting their blood and treasure in defence of the crown, had a right to the undisturbed possession of their ancient privileges; and even some title to arrogate new ones. It seems to have been a maxim in that age, that every leader might claim as his own, the territory which his sword had won from the enemy. Great acquisitions were gained by the nobility in that way: and to these the gratitude and liberality of David added, by distributing among such as adhered to him, the vast possessions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to rise above the other nobles, in the reign of his father, augmented both its power and its property during his minority.

JAMES I. was seized by the English during the continuance of a truce, and ungenerously detained a prisoner almost nineteen years. During that period, the kingdom was governed, first by his uncle Robert duke of Albany, and then by Murdo the son of Robert. Both these noblemen aspired to the crown; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of prince David, the king's elder brother, but prolonged the captivity of James. They flattered themselves that they might step with less opposition into a throne, when almost vacant: and, dreading the king's return as the extinction of their authority and the end of their hopes, they carried on the negociations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either sooth or bribe the nobles to approve of their scheme. They slackened the reins of government; they allowed the prerogative to be encroached upon; they suffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity; they dealt out the patrimony of the crown among those whose enmity they dreaded or whose favour they had gained; and reduced the royal authority to a state of imbecility, from which succeeding monarchs laboured in vain to raise it. 1405. James I.

DURING the minority of James II. the administration of affairs as well as the custody of the king's person were committed to Sir William Crichton and Sir Alexander Livingston. Jealousy and discord were the effects of their conjunct authority, and each of them, in order to strengthen himself, bestowed new power and privileges upon the great men whose aid he courted. While the young earl of Douglas, encouraged by their divisions, erected a sort of independent principality within the kingdom; and forbidding his vassals to 1437. James II.

BOOK I.

acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, assumed every enſign of royalty but the title of king, and appeared in public with a magnificence more than royal.

1460. James III.

EIGHT perſons were choſen to govern the kingdom during the minority of James III. Lord Boyd, however, by ſeizing the perſon of the young king, and by the aſcendant which he acquired over him, ſoon engroſſed the whole authority. He formed the ambitious project of raiſing his family to the ſame pitch of power and grandeur with thoſe of the prime nobility; and he effected it. While intent on this, he relaxed the vigour of government, and the barons became accuſtomed, once more, to anarchy and independence. The power, which Boyd had been at ſo much pains to acquire, was of no long continuance, and the fall of his family, according to the fate of favourites, was ſudden and deſtructive; but upon its ruins the family of Hamilton roſe, which ſoon attained the higheſt rank in the kingdom.

James V.

As the minority of James V. was longer, it was likewiſe more turbulent, than thoſe of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themſelves into more regular factions, and diſregarded more than ever the reſtraints of order and authority. The French had the advantage of ſeeing one, devoted to their intereſt, raiſed to be regent. This was the duke of Albany, a native of France, and a grandſon of James II. But Alexander Lord Home, the moſt eminent of all the Scottiſh peers who ſurvived the fatal battle of Flowden, thwarted all his meaſures during the firſt years of his adminiſtration; and the intrigues of the queen dowager, ſiſter of Henry VIII. rendered the latter part of it no leſs feeble. Though ſupported by French auxiliaries, the nobles deſpiſed his authority, and regardleſs either of his threats or his intreaties, peremptorily refuſed, two ſeveral times, to enter England, to the borders of which kingdom he had led them. Provoked by theſe repeated inſtances of contempt, the regent abandoned his troubleſome ſtation, and, retiring to France, preferred the tranquillity of a private life, to an office deſtitute of real authority. Upon his retreat, Douglas earl of Angus became maſter of the king's perſon, and governed the kingdom in his name. Many efforts were made to deprive him of his uſurped authority. But the numerous vaſſals and friends of his family adhered to him, becauſe he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; he exerciſed, without the title of

regent,

regent, a fuller and more abſolute authority than any who had enjoyed that dignity; and the ancient, but dangerous, pre-eminence of the Douglaſes ſeemed to be reſtored.

To theſe, and to many other cauſes, omitted or unobſerved by us, did the Scottiſh nobility owe that exorbitant and uncommon power, of which inſtances occur ſo frequently in our hiſtory. Nothing however demonſtrates ſo fully the extent of their power, as the length of its duration. Many years after the declenſion of the feudal ſyſtems in the other kingdoms of Europe, and when the arms or policy of princes had, every where, ſhaken, or laid it in ruins, the foundations of that ancient fabric remained, in a great meaſure, firm and untouched in Scotland.

The powers which the feudal inſtitutions veſted in the nobles, ſoon became intolerable to all the princes of Europe, who longed to poſſeſs ſomething more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry III. of England, Edward II. and ſome other weak princes, into raſh and premature attempts againſt the privileges of the barons, in which they were diſappointed or periſhed. Princes, of greater abilities, were content to mitigate evils which they could not cure; they fought occupation for the turbulent ſpirit of their nobles, in frequent wars; and allowed their fiery courage to evaporate in foreign expeditions, which, if they brought no other advantage, ſecured at leaſt domeſtic tranquillity. But time and accidents ripened the feudal governments for deſtruction. Towards the end of the fifteenth century, and beginning of the ſixteenth, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook, with ſucceſs, what their unſkilful predeceſſors had attempted in vain. Lewis XI. of France, the moſt profound and the moſt adventurous genius of that age, began, and in a ſingle reign almoſt completed, the ſcheme of their deſtruction. The ſure but concealed policy of Henry VII. of England produced the ſame effect. The means, indeed, employed by theſe monarchs were very different. The blow which Lewis ſtruck was ſudden and fatal. The artifices of Henry reſembled thoſe ſlow poiſons, which waſte the conſtitution, but become not mortal till ſome diſtant period. Nor did they produce conſequences leſs oppoſite. Lewis boldly added to the crown whatever he wreſted from the nobles. Henry undermined his barons, by encouraging them to ſell their lands, which enriched the commons, and gave them a weight in the legiſlature unknown to their predeceſſors. But while theſe great revolutions were carrying on in two kingdoms with

The power of the feudal nobles became intolerable to princes.

The attempts to humble the nobles ſucceſsful in France and in England.

But the nobles continue to gather ſtrength in Scotland.

BOOK I.

with which Scotland was intimately connected, little alteration happened there; our kings could neither extend their own prerogative, nor enable the commons to encroach upon the ariſtocracy; the nobles not only retained moſt of their ancient privileges and poſſeſſions, but continued to make new acquiſitions.

Our kings endeavoured to extend the royal authority.

THIS was not owing to the inattention of our princes, or to their want of ambition. They were abundantly ſenſible of the exorbitant power of the nobility, and extremely ſolicitous to humble that order. They did not, however, poſſeſs means ſufficient for accompliſhing this end. The reſources of our monarchs were few, and the progreſs which they made was of courſe inconſiderable. But as the number of their followers, and the extent of their juriſdiction, were the two chief circumſtances which rendered the nobles formidable; in order to counterbalance the one, and to reſtrain the other, all our kings had recourſe to nearly the ſame expedients.

General means towards this end.

Encourage diſcord among the nobles.

I. AMONG nobles of a fierce courage, and of unpoliſhed manners, ſurrounded with vaſſals bold and licentious, whom they were bound by intereſt and honour to protect, the cauſes of diſcord were many and unavoidable. As the contending parties could ſeldom agree in acknowledging the authority of any common ſuperior or judge, and their impatient ſpirit would ſeldom wait the ſlow deciſions of juſtice, their quarrels were uſually terminated by the ſword. The offended baron aſſembled his vaſſals, and waſted the lands, or ſhed the blood of his enemy. To forgive an injury, was mean; to forbear revenge, infamous or cowardly[m]. Hence quarrels were tranſmitted from father to ſon, and, under the name of *deadly feuds*, ſubſiſted for many generations with unmitigated rancour. It was the intereſt of the crown to foment rather than to extinguiſh theſe quarrels; and by ſcattering or cheriſhing the ſeeds of diſcord among the nobles, that union, which would have rendered the ariſtocracy invincible, and which muſt at once have annihilated the prerogative, was effectu-

[m] The ſpirit of revenge was encouraged, not only by the manners, but, what is more remarkable, by the laws of thoſe ages. If any perſon thought the proſecution of an injury offered to his family too troubleſome, or too dangerous, the Saliqne laws permitted him publicly to deſiſt from demanding vengeance; but the ſame laws, in order to puniſh his cowardice, and want of affection to his family, deprived him of the right of ſucceſſion. Henault's Abregé Chronol. p. 81 Among the Anglo-Saxons, we find a ſingular inſtitution diſtinguiſhed by the name of *fodalitium*; a voluntary aſſociation, the object whereof was the perſonal ſecurity of thoſe who joined in it, and which the feebleneſs of government at that time rendered neceſſary. Among other regulations, which are contained in one of theſe ſtill extant, the following deſerves notice: "If any aſſociate ſhall either eat or drink with a perſon who has killed any member of the *fodalitium*, unleſs in the preſence of the king, the biſhops, or the count, and unleſs he can prove that he did not know the perſon, let him pay a great fine." Hicks Diſſert. Epiſtolar. apud Theſaur. Ling. Septentr. vol. i. p. 23.

ally prevented. To the ſame cauſe, our kings were indebted for the ſucceſs with which they ſometimes attacked the moſt powerful chieftains. They employed private revenge to aid the impotence of public laws, and arming againſt the perſon who had incurred their diſpleaſure thoſe rival families which wiſhed his fall, they rewarded their ſervice by ſharing among them the ſpoils of the vanquiſhed. But this expedient, though it ſerved to humble individuals, did not weaken the body of the nobility. Thoſe who were now the inſtruments of their prince's vengeance became, in a ſhort time, the objects of his fear. Having acquired power and wealth by ſerving the crown, they, in their turn, ſet up for independence; and though there might be a fluctuation of power and of property; though old families fell, and new ones roſe upon their ruins; the rights of the ariſtocracy remained entire, and its vigour unbroken.

Our kings endeavoured to erect a royal authority.

II. As the adminiſtration of juſtice is one of the moſt powerful ties between a king and his ſubjects, all our monarchs were at the utmoſt pains to circumſcribe the juriſdiction of the barons, and to extend that of the crown. The external forms of ſubordination, natural to the feudal ſyſtem, favoured this attempt. An appeal lay from the judges and courts of the barons, to thoſe of the king. The right, however, of judging in the firſt inſtance belonged to the nobles, and they eaſily found means to defeat the effect of appeals, as well as of many other feudal regulations. The royal juriſdiction was almoſt confined within the narrow limits of the king's demeſnes, beyond which his judges claimed indeed much authority, but poſſeſſed next to none. Our kings were ſenſible of theſe limitations, and bore them with impatience. But it was impoſſible to overturn in a moment, what was ſo deeply rooted; or to ſtrip the nobles, at once, of privileges which they had held ſo long, and which were wrought almoſt into the frame of the feudal conſtitution. To accompliſh this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other inſtances, towards a more regular and perfect police. He made choice, among the eſtates of parliament, of a certain number of perſons, whom he diſtinguiſhed by the name of *Lords of Seſſion*, and appointed them to hold courts for determining civil cauſes three times in the year, and forty days at a time, in whatever place he pleaſed to name. Their juriſdiction extended to all matters which formerly came under the cognizance of the king's council, and being a committee of parliament, their deciſions were final. James II. obtained a law, annexing

Extend the juriſdiction of the king's courts.

BOOK I.

nexing all regalities, which should be forfeited, to the crown, and declaring the right of jurisdiction to be unalienable for the future. James III. imposed severe penalties upon those judges appointed by the barons, whose decisions should be found on a review to be unjust; and, by many other regulations, endeavoured to extend the authority of his own court [n]. James IV. on pretence of remedying the inconveniences arising from the short terms of the court of Session, appointed other judges called *Lords of Daily Council*. The *Session* was an ambulatory court, and met seldom: the *Daily Council* was fixed, and sat constantly at Edinburgh; and though not composed of members of parliament, the same powers which the Lords of Session enjoyed were vested in it. At last James V. erected a new court that still subsists, and which he named the *College of Justice*, the judges or *Senators* of which were called *Lords of Council and Session*. This court not only exercised the same jurisdiction which formerly belonged to the Session and Daily Council, but new rights were added. Privileges of great importance were granted to its members, its forms were prescribed, its terms fixed, and regularity, power, and splendour conferred upon it [o]. The persons constituted judges in all these different courts had, in many respects, the advantage of those who presided in the courts of the barons; they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more consistent. Such judicatories became the objects of confidence, and of veneration. Men willingly submitted their property to their determination, and their encroachments on the jurisdictions of the nobles were popular, and for that reason successful. By devices of a similar nature, the jurisdiction of the nobles in criminal causes was restrained, and the authority of the court of *Justiciary* extended. The crown, in this particular, gaining insensibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once resembled that of a baron, rather than that of a sovereign [p], came more

[n] Act 26. P. 1469. Act 94. P. 1493. Act 99 P. 1487. [o] Keith, App. 74, &c.

[p] The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdictions within their own territories separate and extensive; and the great offices of the empire are

more and more to be considered as the head of the community, and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and, notwithstanding all their efforts, many of the separate jurisdictions possessed by the nobles remained in great vigour; and their final abolition was reserved to a distant and more happy period.

BOOK I.

But besides these methods of defending their prerogative and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a review of their reigns, that almost every one of our kings, from Robert Bruce to James V. had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terror. This conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from their resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to these passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes; yet without being chargeable with excessive refinement, we may affirm that their end was uniformly the same; and that the project of reducing the power of the aristocracy, sometimes avowed, and pursued with vigour; sometimes concealed, or seemingly suspended; was never altogether abandoned.

Each of our kings pursued some plan of humbling the nobles.

This proved by a review of the events in their reigns.

are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdiction within his own demesnes or hereditary countries is complete; beyond the bounds of these it is almost nothing; and so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although the greater part of its princes have become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of kings under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemaigne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony the Comté of Paris; and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France where he could establish *Grands Baillis*, or royal judges; all the other lands, towns, and baillages belonged to the nobles. The methods to which the French Monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Henault's Abregé, p. 617, &c. De l'Esprit des Lois, liv. 30. ch. 20, &c.

No

BOOK II.

Robert Bruce.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions, than those to which it was subject at that time in Scotland. Edward I. having forfeited the estates of most of the ancient Scottish barons, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely defective. During one of those truces between the two nations, occasioned rather by their being weary of war than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear, and to shew by what rights they held their lands. They assembled accordingly, and the question being put, they started up at once, and drew their swords, "By these, said they, we acquired our lands, and with these we will defend them." The king, intimidated by their boldness, prudently dropped the project. But so deeply did they resent this attack upon their order, that, notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David II.

David his son, at first an exile in France, afterwards a prisoner in England, and involved in continual war with Edward III. had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Robert II.

Our historians have been more careful to relate the military than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence they describe minutely; but with regard to every thing that happened during several years of tranquillity, they are altogether silent.

Robert III.

The feeble administration of Robert III. must likewise be passed over slightly. A prince of a mean genius, and of a frail and sickly constitution, was not a fit person to enter the lists with active and martial barons, or to attempt wresting from them any of their rights.

James I.

The civil transactions in Scotland are better known since the beginning of the reign of James I. and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England he had an opportunity

opportunity of obſerving the feudal ſyſtem in a more advanced ſtate, and refined from many of the imperfections which ſtill adhered to it in his own kingdom. He ſaw their nobles great, but not independent; a king powerful, though far from abſolute; he ſaw a regular adminiſtration of government; wiſe laws enacted; and a nation flouriſhing and happy, becauſe all ranks of men were accuſtomed to obey them. Full of theſe ideas, he returned into his native country, which preſented to him a very different ſcene. The royal authority, never great, was now contemptible, by having been ſo long delegated to regents. The ancient patrimony and revenues of the crown were almoſt totally alienated. During his long abſence the name of king was little known, and leſs regarded. The licence of many years had rendered the nobles independent. Univerſal anarchy prevailed. The weak were expoſed to the rapine and oppreſſion of the ſtrong. In every corner ſome barbarous chieftain ruled at pleaſure, and neither feared the king nor pitied the people [q].

Robert Bruce.

James was too wiſe a prince to employ open force to correct ſuch inveterate evils. Neither the men nor the times would have borne it. He applied the gentler and leſs offenſive remedy of laws and ſtatutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wiſe laws, tending viſibly to re-eſtabliſh order, tranquillity, and juſtice in the kingdom. But, at the ſame time that he endeavoured to ſecure theſe bleſſings to his ſubjects, he diſcovered his intention to recover thoſe poſſeſſions of which the crown had been unjuſtly bereaved; and for that purpoſe obtained an act, by which he was impowered to ſummon ſuch as had obtained crown lands during the three laſt reigns, to produce the rights by which they held them [r]. As this ſtatute threatened the property of the nobles, another which paſſed in a ſubſequent parliament aimed a dreadful blow at their power. By it the leagues and combinations which we have already deſcribed, and which rendered the nobles ſo formidable to the crown, were declared unlawful [s]. Encouraged by this ſucceſs in the beginning of his enterpriſe, James's next ſtep was ſtill bolder and more deciſive. During the ſitting of parliament he

David II.

Robert II.

Robert III.

James I.

q A cotemporary monkiſh writer deſcribes theſe calamities very feelingly, in his rude Latin: In diebus illis, non erat lex in Scotia, ſed quilibet potentiorem juniorem oppreſſit; et totum regnum fuit unum latrocinium, homicidia, depopulationes, incendia, et cætera maleficia remanſerunt impunita; et juſtitia relegata extra terminos regni exulavit. Chartular. Morav. apud Innes Eſſay, vol. i. p. 272.

r Act 9. P. 1424.

s Act 36. P. 1428.

ſeized,

BOOK I.

seized, at once, his cousin Murdo duke of Albany, and his sons; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his sons, and Lennox. These were tried by their peers, and condemned; for what crime is now unknown. Their execution struck the whole order with terror, and their forfeiture added vast possessions to the crown. He seized, likewise, the earldoms of Buchan and Strathern, upon different pretexts; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a slight insurrection headed by the duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the great men had been long unaccustomed, inspired reverence: James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the French king: he was adored by the people, who enjoyed unusual security and happiness under his administration: and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole body of the nobility, and which the events shew either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar earl of March had taken arms against Robert III. the king's father; but that crime had been pardoned, and his lands restored by Robert duke of Albany. James, on pretext that the regent had exceeded his power, and that it was the prerogative of the king alone to pardon treason, or to alienate lands annexed to the crown, obtained a sentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the great men held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present,

the

the only ſufferer, the precedent might be extended, and their titles to poſſeſſions which they conſidered as the rewards of their valour, might be ſubjected to the review of courts of law, whoſe forms of proceeding, and juriſdiction, were in a martial age little known, and extremely odious. Terror and diſcontent ſpread faſt upon this diſcovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold ſtand, before they were ſtripped ſucceſſively of their acquiſitions, and reduced to a ſtate of poverty and inſignificance. The prevalence of theſe ſentiments among the nobles encouraged a few deſperate men, the friends or followers of thoſe who had been the chief ſufferers under the king's adminiſtration, to form a conſpiracy againſt his life. The firſt uncertain intelligence of this was brought him, while he lay in his camp before Roxburgh caſtle. He durſt not confide in nobles, to whom he had given ſo many cauſes of diſguſt, but inſtantly diſmiſſed them and their vaſſals, and, retiring to a monaſtery near Perth, was ſoon after murdered there in the moſt cruel manner. All our hiſtorians mention with aſtoniſhment this circumſtance, of the king's diſbanding his army at a time when it was ſo neceſſary for his preſervation. A king, ſay they, ſurrounded with his barons, is ſecure from ſecret treaſon, and may defy open rebellion. But thoſe very barons were the perſons whom he chiefly dreaded; and it is evident from this review of his adminiſtration, that he had greater reaſon to apprehend danger, than to expect defence, from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy had he reigned in a kingdom more civilized; his love of peace, of juſtice, and of elegance, would have rendered his ſchemes ſucceſsful; and inſtead of periſhing becauſe he had attempted too much, a grateful people would have applauded and ſeconded his efforts to reform and to improve them.

BOOK I.

CRICHTON, the moſt able man of thoſe who had the direction of affairs during the minority of James II. had been the miniſter of James I. and well acquainted with his reſolution of humbling the nobility. He did not relinquiſh the deſign, and he endeavoured to inſpire his pupil with the ſame ſentiments. But what James had attempted to effect ſlowly, and by legal means, his ſon and Crichton purſued with the impetuoſity natural to Scotſmen, and with the fierceneſs peculiar to that age. William the ſixth earl of Douglas was the firſt victim to their barbarous policy. That young nobleman (as we have already obſerved), contemning

James II.

the

BOOK I. the authority of an infant prince, almoſt openly renounced his allegiance, and aſpired to independency. Crichton, high ſpirited to bear ſuch an inſult, but too weak to puniſh or to bring to juſtice ſo powerful an offender, decoyed him by many promiſes to an interview in the caſtle of Edinburgh, and, notwithſtanding theſe, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him univerſally odious. William the eighth earl of Douglas was no leſs powerful, and no leſs formidable to the crown. By forming the league which was already mentioned with the earl of Crawford and other barons, he had united againſt his ſovereign almoſt one half of his kingdom. But his credulity led him into the ſame ſnare which had been fatal to the former earl. Relying on the king's promiſes, who had now attained to the years of manhood, and having obtained a ſafe-conduct under the great ſeal, he ventured to meet him in Stirling caſtle. James urged him to diſſolve that dangerous confederacy into which he had entered; the earl obſtinately refuſed; "If you will not," ſaid the enraged monarch, drawing his dagger, "this ſhall;" and ſtabbed him to the heart. An action ſo unworthy of a king filled the nation with aſtoniſhment and with horror. The earl's vaſſals ran to arms with the utmoſt fury, and dragging the ſafe-conduct, which the king had granted and violated, at a horſe's tail, they marched towards Stirling, burnt the town, and threatened to beſiege the caſtle. An accommodation, however, enſued, on what terms is not known. But the king's jealouſy, and the new earl's power and reſentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, compoſed chiefly of borderers, was far ſuperior to the king's both in number and in valour; and a ſingle battle muſt, in all probability, have decided whether the houſe of Stuart or of Douglas was henceforth to poſſeſs the throne of Scotland. But, while his troops impatiently expected the ſignal to engage, the earl ordered them to retire to their camp; and Sir James Hamilton of Cadyow, the perſon in whom he placed the greateſt confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to ſeize a crown, deſerted him that very night. This example was followed by many; and the earl, deſpiſed or forſaken by all, was ſoon driven out of the kingdom, and obliged to depend for his ſubſiſtence on the friendſhip of the king of England. The ruin of this great family, which had ſo long rivalled and overawed the crown, and the terror with which

such an example of successful ambition filled the nobility BOOK
secured the king for some time from opposition; and the I.
royal authority remained unmolested and almost absolute. James did not suffer this favourable interval to pass unimproved; but procured the statutes of parliament to have more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the late possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was impowered to seize them at pleasure, without any process or form of law, and oblige the possessors to refund whatever they had received from them[1]. A dreadful instrument of oppression in the hands of a prince!

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts[2].

By a third, it was enacted that no *Regality*, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament[3]; a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by being bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction, and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked[4].

Each of these statutes undermined some of the great pillars on which the power of the aristocracy relied. During the remainder of his reign, this prince pursued the plan which he had begun with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it, and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the feudal system.

James III. discovered no less eagerness than his father or grandfather to humble the nobility; but far inferior to James III.

[1] Act 41. P. 1455. [2] Ibid. Act 40. [3] Ibid. Act 43. [4] Act 44.

1406 either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disastrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and hardly any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself in architecture, music, and other arts which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the sanguinary measures of his father provoked them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights to crown lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander duke of Albany, and John earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other great men, entered deeply into all their cabals. The king detected their designs before they were ripe for execution, and, seizing his two brothers, committed the duke of Albany to Edinburgh castle. The earl of Mar having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and fled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives which first induced him to join the malecontents. But James's attachment to favourites rendering him every day more odious to the nobles, the prospect of the advantages which might be derived from their general disaffection, added to the resentment which he felt on account of his brother's death and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of

of England, in which he assumed the name of Alexander king of Scots; and in return for the assistance which was promised him towards dethroning his brother, he bound himself, as soon as he was put in possession of the kingdom, to swear fealty and do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles and most valuable counties in Scotland[a]. That aid, which the duke so basely purchased at the price of his own honour and the independence of his country, was punctually granted him, and the duke of Gloucester with a powerful army conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretensions. Others were impatient for any event which would restore their order to its ancient pre-eminence. They seemed, however, to enter with zeal into the measures of their sovereign for the defence of the kingdom against its invaders[b], and took the field at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions whose insolence they could no longer tolerate. This resolution they executed in the camp near Lauder, with a military dispatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost all the barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochran a mason, Hommil a taylor, Leonard a smith, Rogers a musician, and Torphan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour due to them, bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command, and, dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to him, and he

[a] Aberc. Mart. Atch. vi. iii. p. 445. [b] Black Acts, fol. 65.

BOOK I.

seemed even to have regained his brother's favour by some important services. But their friendship was not of long duration. James abandoned himself once more to the guidance of favourites; and the fate of those who had suffered at Lauder did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and, retiring to his castle at Dunbar, drew thither a greater number of barons than attended on the king himself. At the same time he renewed his former confederacy with Edward; the earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety; and, flying first to England and then to France, he seems from that time to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobility. A standing guard, a thing unknown under the feudal governments, and inconsistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created earl of Bothwell, the same person who had so narrowly escaped when his companions were put to death at Lauder. As if this precaution had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court [b]; which, at a time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James at the same time became fonder of retirement than ever, and, sunk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most considerable nobles to take arms, and having persuaded or obliged the duke of Rothesay, the king's eldest son, a youth of fifteen, to set himself at their head, they openly declared their intention of depriving James of a crown of which he had discovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encoun-

[b] Ferrerius, 398.

tered

tered them near Bannockburn, but the valour of the Borderers, of whom the army of the malecontents was chiefly composed, ſoon put his troops to flight, and he himſelf was ſlain in the purſuit. Suſpicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are viſible in his whole conduct; but the character of a cruel and unrelenting tyrant ſeems to be unjuſtly affixed to him by our hiſtorians. His neglect of the nobles irritated, but did not weaken them; and their diſcontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were ſufficient to have diſturbed a more vigorous adminiſtration, and to have rendered a prince of ſuperior talents unhappy. 1488

The indignation which many perſons of rank expreſſed againſt the conduct of the conſpirators, together with the terror of the ſentence of excommunication which the pope pronounced againſt them, obliged them to uſe their victory with great moderation and humanity. Being conſcious how deteſtable the crime of imbruing their hands in the blood of their ſovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for the treatment of the father, by their loyalty and duty towards the ſon. They placed him inſtantly on the throne, and the whole kingdom ſoon united in acknowledging his authority.

James IV. was naturally generous and brave; he felt, in an high degree, all the paſſions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign the ancient and hereditary enmity between the king and nobles ſeems almoſt entirely to have ceaſed. He envied not their ſplendor, becauſe it contributed to the ornament of his court; nor did he dread their power, which he conſidered as the ſecurity of his kingdom, not as an object of terror to himſelf. This confidence on his part met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage and the ſpirit of chivalry, rather than the proſpect of any national advantage, were the motives of that expedition, ſuch was the zeal of his ſubjects for the king's glory, that he was followed by as gallant an army as ever any of his anceſtors had led upon Engliſh ground. But though James himſelf formed no ſcheme dangerous or detrimental to the ariſtocracy, his reign was diſtinguiſhed by an event extremely fatal to it; and one accidental blow humbled it more than James IV.

BOOK I. all the premeditated attacks of preceding kings. In the raſh and unfortunate battle of Flowden, a brave nobility choſe rather to die than to deſert their ſovereign. Twelve earls, thirteen lords, five eldeſt ſons of noblemen, and an incredible number of barons, fell with the king. The whole body of the nobles long and ſenſibly felt this diſaſter; and if a prince of full age had then aſcended the throne, their conſternation and frebleneſs would have afforded him advantages which no former monarch ever poſſeſſed.

James V. But James V. who ſucceeded his father, was an infant of a year old; and though the office of regent was conferred upon his couſin the duke of Albany, a man of genius and enterpriſe, a native of France, and accuſtomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and baniſhed the earl of Angus, the two noblemen of greateſt influence in the kingdom, the ariſtocracy loſt no ground under his adminiſtration. A ſtranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on ſome occaſions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles aſſerted their own privileges, and contended for the intereſt of their country with a boldneſs which convinced him of their independence, and of the impotence of his own authority. After ſeveral unſucceſsful ſtruggles, he voluntarily retired to France; and the king being then in his thirteenth year, the nobles agreed that he ſhould aſſume the government, and that eight perſons ſhould be appointed to attend him by turns, and to adviſe and aſſiſt him in the adminiſtration of public affairs. The earl of Angus, who was one of that number, did not long remain ſatisfied with ſuch divided power. He gained ſome of his colleagues, removed others, and intimidated the reſt. When the term of his attendance expired, he ſtill retained authority, to which all were obliged to ſubmit, becauſe none of them was in a condition to diſpute it. The affection of the young king was the only thing wanting, to fix and perpetuate his power. But an active and high-ſpirited prince ſubmitted, with great impatience, to the reſtraint in which he was kept. It ill ſuited his years, or diſpoſition, to be confined as a priſoner within his own palace; to be treated with no reſpect, and to be deprived of all power. He could not, on ſome occaſions, conceal his reſentment and indignation. Angus foreſaw that he had

[t] Aber. ii. 540.

much

much to dread from these; and as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidents; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty eluded all their vigilance. He escaped from Falkland and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hand of the Douglases. The nobles, of whom some were influenced by their hatred to Angus, and others by their respect for the king, crowded to Stirling, and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and after escaping from many dangers, and enduring much misery, he was at length obliged to fly into England for refuge. BOOK I.

James had now not only the name, but, though extremely young, the full authority of a king. He was inferior to no prince of that age in gracefulness of person or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But, according to the usual fate of princes who are called to the throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter than to instruct him. It was the interest of those who governed the kingdom, to prevent him from knowing too much. The earl of Angus, in order to divert him from business, gave him an early taste for such pleasures as afterwards occupied and engrossed him more than became a king. Accordingly we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of his

BOOK I. his ancestors, and the influence of the events in his reign upon those of the subsequent period, besides the necessity of explaining his conduct at greater length, will lead us into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their misfortunes. The example of James I. had taught him, that wise laws operate slowly on a rude people, and that the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a prince. At the same time he felt that the authority of the crown was not sufficient to counterbalance the power of the aristocracy, and that without some new accession of strength he could expect no better success in the struggle than his ancestors. In this extremity he applied himself to the clergy, hoping that they would both relish his plan, and concur, with all their influence, in enabling him to put it in execution. Under the feudal government the church, being reckoned a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the weakness of many ages of ignorance, had bestowed on ecclesiastics a great proportion of the national wealth; and the authority which they acquired by the reverence of the people, was superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom, and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys[a]; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it by promoting his designs. Happily for him, the nobles had not yet recovered the blow which fell on their order at Flowden; and if we may judge

[a] Epist. Reg. Scot. 1. 197, &c. Ad 1513. P. 1540.

either

either from their conduct, or from the character given of them by Sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity, or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust had arisen between them and the nobles, who despised their character, and envied their power or their wealth. By acting in concert with the king, they not only would gratify him, but avenge themselves, and hoped to aggrandise their own order, by depressing those who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and, sensible that a person so far superior to the other nobles in abilities, might create many obstacles which would retard or render ineffectual all its schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobility with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and cardinal Beatoun, who soon became the most eminent among them, was a man of superior genius. They served the king with fidelity, they carried on his measures with vigour, with reputation, and with success. James no longer concealed his distrust of the nobles, and suffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accusation against persons of rank was heard with pleasure, every appearance of guilt was examined with rigour, and every trial proved fatal to those who were accused. The banishing Hepburn earl of Bothwell for reasons extremely frivolous, beheading the eldest son of lord Forbes without sufficient evidence of his guilt, and the condemning lady Glamis, a sister of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credu-

BOOK I.

credulous age believed her innocent, are monuments both of the king's hatred of the nobility, of the ſeverity of his government, and of the ſtretches he made towards abſolute power. By theſe acts of authority, he tried the ſpirit of the nobles, and how much they were willing to bear. Their patience increaſed his contempt for them, and added to the ardour and boldneſs with which he purſued his plan. Meanwhile they obſerved the tendency of his ſchemes with concern, and with reſentment; but the king's ſagacity, the vigilance of his miniſters, and the want of a proper leader, made it dangerous to concert any meaſures for their defence, and impoſſible to act with becoming vigour. James and his counſellors, by a falſe ſtep which they took, preſented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry VIII. to diſclaim the pope's authority, and to ſeize the revenues of the regular clergy. His ſyſtem of reformation ſatisfied none of his ſubjects. Some were enraged becauſe he had proceeded ſo far, others murmured becauſe he proceeded no farther. By his imperious temper, and alternate perſecutions of the zealots for popery, and the converts to the proteſtant opinions, he was equally formidable to both. Henry was afraid that this general diſſatisfaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and the emperor courted the friendſhip of the king of Scots, and endeavoured to engage him in an alliance againſt England. He reſolved, therefore, to diſappoint the effects of their negociations, by entering into a cloſer union with his nephew. In order to accompliſh this, he tranſmitted to James an elaborate memorial, repreſenting the numerous encroachments of the ſee of Rome upon the rights of ſovereigns[c]; and that he might induce him more certainly to adopt the ſame meaſures for aboliſhing papal uſurpation, which had proved ſo efficacious in England, he ſent ambaſſadors into Scotland, to propoſe a perſonal interview with him at York. It was plainly James's intereſt to accept this invitation; the aſſiſtance of ſo powerful an ally, the high honours which were promiſed him, and the liberal ſubſidies he might have obtained, would have added no little dignity to his domeſtic government, and muſt have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reaſon to apprehend, if he

[c] Strype, Eccleſ. Mem. 1. App. 155.

rejected

rejected Henry's offers of friendſhip, was inconſiſtent with all his views. This would bring him to depend on his barons; an army could not be raiſed without their aſſiſtance; to call nobles incenſed againſt their prince into the field, was to unite his enemies, to make them ſenſible of their own ſtrength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all theſe conſequences might follow a breach with England, liſtened at firſt to Henry's propoſal, and conſented to the interview at York. But the clergy dreaded an union, which muſt have been eſtabliſhed on the ruins of the church. Henry had taken great pains to infuſe into his nephew his own ſentiments concerning religion, and had frequently ſolicited him, by ambaſſadors, to renounce the uſurped dominion of the pope, which was no leſs diſhonourable to princes than grievous to their ſubjects. The clergy had hitherto, with great addreſs, diverted the king from regarding theſe ſolicitations. But, in an amicable conference, Henry expected, and they feared, that James would yield to his intreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that the pride and ambition of eccleſiaſtics raiſed the indignation of the nobles; that their indecent lives gave offence to the people; that the proteſtant opinions were ſpreading faſt throughout the nation; and that an univerſal defection from the eſtabliſhed church would be the conſequence of giving the ſmalleſt degree of encouragement to theſe principles. For theſe reaſons, they employed all their credit with the king, and had recourſe to every artifice and inſinuation, in order to divert him from a journey, which muſt have been ſo fatal to their intereſt. They endeavoured to inſpire him with fear, by magnifying the danger to which he would expoſe his perſon, by venturing ſo far into England, without any ſecurity but the word of a prince, who having violated every thing venerable and ſacred in religion, was no longer to be truſted; and by way of compenſation for the ſums which he might have received from Henry, they offered an annual donative of fifty thouſand crowns; they promiſed to contribute liberally towards carrying on a war with England, and flattered him with the proſpect of immenſe riches, ariſing from the forfeiture of perſons who were to be tried and condemned as heretics. Influenced by theſe conſiderations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch reſented the affront by declaring war againſt Scotland.

BOOK I.

BOOK II.

land. His army was soon ready to invade the kingdom. James was obliged to have recourse to the nobles for the defence of his dominions. At his command, they assembled their followers; but with the same dispositions which had animated their ancestors in the reign of James III. and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances of which they had reason to complain; and if the king's ministers had not been men of abilities, superior to those of James III. and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lauder, for the daring encroachments of the nobility on the prerogative of the prince. But though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army, which had invaded Scotland, to retire, James imagined that he could attack them, with great advantage, in their retreat; but the principal barons, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly disbanded an army which paid so little regard to his orders, and returned abruptly into the heart of the kingdom.

An ambitious and high-spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair upon a disappointment was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances, as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, sullen, and retired. He seemed, through the day, to be swallowed up in profound meditation, and, through the night, he was disturbed with those visionary terrors which make impression upon a weak understanding only, or a disordered fancy. In order

order to revive the king's ſpirits, an inroad on the weſtern borders was concerted by his miniſters, who prevailed upon the barons in the neighbouring provinces to raiſe as many troops as were thought neceſſary, and to enter the enemy's country. But nothing could remove the king's averſion to his nobility, or diminiſh his jealouſy of their power. He would not even entruſt them with the command of the forces which they had aſſembled; that was reſerved for Oliver Sinclair his favourite, who no ſooner appeared to take poſſeſſion of the dignity conferred upon him, than rage and indignation occaſioned an univerſal mutiny in the army. Five hundred Engliſh, who happened to be drawn up in fight, attacked the Scots in this diſorder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in hiſtory. They overcame the fear of death and the love of liberty; and ten thouſand men fled before a number ſo far inferior, without ſtriking a ſingle blow. No man was deſirous of a victory, which would have been acceptable to the king, and to his favourite; few endeavoured to ſave themſelves by flight; the Engliſh had the choice of what priſoners they pleaſed to take; and almoſt every perſon of diſtinction, who was engaged in the expedition, remained in their hands[f]. This aſtoniſhing event was a new proof to the king of the general diſaffection of the nobility, and a new diſcovery of his own weakneſs and want of authority. Incapable of bearing theſe repeated inſults, he found himſelf unable to revenge them. The deepeſt melancholy and deſpair ſucceeded to the furious tranſports of rage, which the firſt account of the route of his army occaſioned. All the violent paſſions, which are the enemies of life, preyed upon his mind, and waſted and conſumed a youthful and vigorous conſtitution. Some authors of that age impute his untimely death to poiſon; but the diſeaſes of the mind, when they riſe to an height, are often mortal; and the known effects of diſappointment, anger, and reſentment, upon a ſanguine and impetuous temper, ſufficiently account for his unhappy fate. "His death (ſays Drummond) proveth his mind to have been raiſed to an high ſtrain, and above mediocrity; he could die, but could not digeſt a diſaſter." Had James ſurvived this misfortune, one of two things muſt have happened; either the violence of his temper would have engaged him openly to attack the

1542

[f] According to an account of this event in the Hamilton MSS. about thirty were killed, above a thouſand were taken priſoners, and among them a hundred and ſixty perſons of condition, Vol. II. 248. The ſmall number of the Engliſh prevented their taking more priſoners.

BOOK II.

nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malecontents in the succeeding reign did from his daughter Elizabeth; in that case, a dangerous civil war must have been the certain consequence. Or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobility. In that event the church would have fallen a sacrifice to their union; a Reformation, upon Henry's plan, would have been established by law; a great part of the temporalties of the church would have been seized; and the friendship of the king and barons would have been cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not for that reason conclude that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the best concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed no less than its own natural strength, to preserve the aristocracy from ruin.

Amidst these struggles, the influence which our kings possessed in their parliaments, is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will, and obtained such laws as he deemed necessary for extending his authority. All things were conducted there with dispatch and unanimity; and in none of our historians do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The extraordinary influence of the Scottish kings in parliament.

The genius of the feudal government, uniform in all its operations, produced the same effects in small as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him being free men, and not slaves, could be tried by their peers only; and, therefore, his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled on these occasions, they established, by mutual consent, such regulations as tended to the welfare of their small society; and often

The reasons of it.

often granted, voluntarily, ſuch ſupplies to their *Superior*, as his neceſſities required. Change now a ſingle name, in place of baron, ſubſtitute king, and we behold a parliament in its firſt rudiments, and obſerve the firſt exertions of thoſe powers, which its members now poſſeſs as judges, as legiſlators, and as diſpenſers of the public revenues. Suitable to this idea are the appellations of the *King's Court*[g], and of the *King's Great Council*, by which parliaments were anciently diſtinguiſhed; and ſuitable to this, likewiſe, were the conſtituent members of which it was compoſed. In all the feudal kingdoms, ſuch as held the king *in chief* were bound, by the condition of their tenure, to attend and to aſſiſt in his courts. Nor was this eſteemed a privilege, but a ſervice[h]. It was exacted likewiſe of biſhops, abbots, and the greater eccleſiaſtics, who, holding vaſt poſſeſſions of the crown, were deemed ſubject to the ſame burden. Parliaments did not continue long in this ſtate. Cities gradually acquired wealth, a conſiderable ſhare of the public taxes were levied on them, the inhabitants grew into eſtimation, and, being enfranchiſed by the ſovereign, a place in parliament was the conſequence of their liberty, and of their importance. But as it would have been abſurd to confer ſuch a privilege, or to impoſe ſuch a burden on a whole community, every borough was permitted to chuſe one or two of its citizens to appear in the name of the corporation; and the idea of *repreſentation* was firſt introduced in this manner. An innovation ſtill more important naturally followed. The vaſſals of the crown were originally few in number, and extremely powerful; but as it is impoſſible to render property fixed and permanent, many of their poſſeſſions came, gradually, and by various methods of alienation, to be ſplit and parcelled out into different hands. Hence aroſe the diſtinction between the *Greater* and the *Leſſer Barons*. The former were thoſe who retained their original fiefs undivided, the latter were the new and leſs potent vaſſals of the crown. Both were bound, however, to perform all feudal ſervices, and, of conſequence, to give attendance in parliament. To the leſſer barons, who formed no inconſiderable body, this was an intolerable grievance. Barons ſometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance; and the anxiety with which our anceſtors endeavoured to get free from the obligation of ſitting in parliament, is ſurpaſſed by that only

[g] Du Cange, voc. Curia. [h] Id. voc. Placitum, col. 519. Magna Charta, art. 14. Act. Jac. I. 1425. cap. 32.

with

BOOK I.

with which their poſterity ſolicit to be admitted there. In order to accommodate both parties, at once, to ſecure to the king a ſufficient number of members in his great council, and to ſave his vaſſals from an unneceſſary burden, an eaſy expedient was found out. The obligation to perſonal attendance was continued upon the greater barons, from which the leſſer barons were exempted, on condition of their electing, in each county, a certain number of *repreſentatives*, to appear in their name. Thus a parliament became complete in all its members, and was compoſed of lords ſpiritual and temporal, of knights of the ſhires, and of burgeſſes. As many cauſes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal inſtitutions abated ſooner, and its defects were ſupplied with greater facility in the one kingdom than in the other; England led the way in all theſe changes, and burgeſſes and knights of the ſhire appeared in the parliaments of that nation, before they were heard of in ours. Burgeſſes were firſt admitted into the Scottiſh parliaments A.D. 1326. by Robert Bruce [a]; and in the preamble to the laws of Robert III. they are ranked among the conſtituent members 1427. of that aſſembly. The leſſer barons were indebted to James I. for a ſtatute exempting them from perſonal attendance, and permitting them to elect repreſentatives: the exemption was eagerly laid hold on; but the privilege was ſo little valued, that, except one or two inſtances, it lay neglected during one hundred and ſixty years; and James VI. firſt obliged them to ſend repreſentatives regularly to parliament [b].

A SCOTTISH parliament, then, conſiſted anciently of great barons, of eccleſiaſtics, and a few repreſentatives of boroughs. Nor were theſe divided, as in England, into two houſes, but compoſed one aſſembly, in which the lord chancellor preſided [c]. In rude ages, when the ſcience of government was extremely imperfect among a martial people, unacquainted with the arts of peace, ſtrangers to the talents

[a] Abercromby, i. 634.

[b] Eſſays on Brit. Antiq. Eſſ. ii. Dalrymp. Hiſt. of Feud. Prop. ch. 8.

[c] In England, the peers and commons ſeem early to have met in ſeparate houſes; and James I. who was fond of imitating the Engliſh in all their cuſtoms, had probably an intention of introducing ſome conſiderable diſtinction between the greater and leſſer barons in Scotland; at leaſt he determined that their conſultations ſhould not be carried on under the direction of the ſame preſident; for by his law, A. D. 1429, it is provided, "that out of the commiſſioners of all the ſhires ſhall be choſen a wiſe and expert man, called the common ſpeaker of the parliament, who ſhall propoſe all and ſundry needs and cauſes pertaining to the commons in the parliament or general council." No ſuch ſpeaker, it would ſeem, was ever choſen; and by a ſubſequent law the chancellor was declared perpetual preſident of parliament.

which

which make a figure in debates, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they appeared with such evident marks of inferiority. Parliaments were often hastily assembled, and it was, probably, in the king's power, by the manner in which he issued his writs for that purpose, to exclude such as were averse from his measures. At a time, when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few, even so late as the beginning of the reign of James VI.[a] they amounted only to fifty-three. The ecclesiastics equalled them in number, and being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trusted either to elude or to contemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendant which our kings acquired in parliament. But, without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the constitution of our parliaments, we find a committee, distinguished by the name of *Lords of Articles*. It was their business to prepare and to digest all matters which were to be laid before the parliament. There was rarely any business introduced into parliament, but what had passed through the channel of this committee; every motion for a new law was first made there, and approved of, or rejected by the members of it; what they approved was formed into a bill, and presented to parliament; and it seems probable, that what they rejected could not be introduced into the house. This

[a] And. Coll. v. 1. pref. 40.

BOOK I. committee owed the extraordinary powers veſted in it, to the military genius of the ancient nobles; too impatient to ſubmit to the drudgery of civil buſineſs, too impetuous to obſerve the forms, or to enter into the details neceſſary in conducting it, they were glad to lay that burden upon a ſmall number, while they themſelves had no other labour than ſimply to give, or to refuſe, their aſſent to the bills which were preſented to them. The lords of articles, then, not only directed all the proceedings of parliament, but poſſeſſed a negative before debate. That committee was choſen and conſtituted in ſuch a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that our kings once had the ſole right of nominating the lords of articles[n]. They came afterwards to be elected by the parliament, and conſiſted of an equal number out of each eſtate, and moſt commonly of eight temporal and eight ſpiritual lords, of eight repreſentatives of boroughs, and of the eight great officers of the crown. Of this body, the eight eccleſiaſtics, together with the officers of the crown, were entirely at the king's devotion, and it was ſcarce poſſible that the choice could fall on ſuch temporal lords and burgeſſes as would unite in oppoſition to his meaſures. Capable either of influencing their election, or of gaining them when elected, the king commonly found the lords of articles no leſs obſequious to his will, than his own privy council, and, by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may ſeem altogether incredible, the moſt limited prince in Europe actually poſſeſſed, in one inſtance, a prerogative which the moſt abſolute could never attain[o].

To

[n] It appears from authentic records, that a parliament was appointed to be held March 12, 1566, and that the lords of articles were choſen and met on the 7th, five days before the aſſembling of parliament. If they could be regularly elected ſo long before the meeting of parliament, it is natural to conclude, that the prince alone poſſeſſed the right of electing them. There are two different accounts of the manner of their election at that time, one by Mary herſelf, in a letter to the archbiſhop of Glaſgow: "We, accompanied with our nobility for the time, paſſed "to the Tolbooth of Edinburgh, for holding of our parliament on the 7th day of "this inſtant, and elected the lords articulers." If we explain theſe words, according to the ſtrict grammar, we muſt conclude that the queen herſelf elected them. It is, however, more probable that Mary meant to ſay, that the nobles then preſent with her, viz. her privy counſellors, and others, elected the lords of articles. Keith's Hiſt. of Scotland, p. 331. The other account is Lord Ruthven's, who expreſsly affirms that the queen herſelf elected them. Keith's Append. 256. Whether we embrace the one or the other of theſe opinions, is of no conſequence. If the privy counſellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the ſole nomination of them.

[o] Having deduced the hiſtory of the committee of lords of articles as low as the ſubject of this preliminary book required, it may be agreeable, perhaps, to ſome of

BOOK I.

State of Europe at the beginning of the fifteenth century.

To this account of the internal constitution of Scotland, it will not be improper to add a view of the political state of Europe at that period, where the following history commences. A thorough knowledge of that general system, of which every kingdom in Europe forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

of my readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous, and more considerable by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles, became, likewise, an object of greater importance to our kings. James VI. on pretence that the lords of articles could not find leisure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each *estate*, who should meet twenty days before the commencement of parliament *, to receive all supplications, &c. and rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would, of course, have claimed that privilege. In 1633, when Charles I. was beginning to introduce those innovations which gave so much offence to the nation, he dreaded the opposition of his parliament, and in order to prevent that, an artifice was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers; these sixteen met together, and elected eight knights of the shire, and eight burgesses, and to these the crown offices were added as usual. If we can only suppose eight persons of so numerous a body as the peers of Scotland, were become by that time attached to the court, these, it is obvious, would be the men whom the bishops would choose, and of consequence the whole lords of articles were the tools and creatures of the king. This practice, so inconsistent with liberty, was abolished during the civil wars and the statute of James VI. was repealed. After the restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I. was then converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have thought it less criminal in our "restoration parliament, to have openly bestowed upon the king a negative before "debate, than in such an underhand artificial manner to betray their constituents "and the nation." Essays on Brit. Antiq. 54. It is probable, however, from a letter of Randolph's to Cecil, 10 Aug. 1560, printed in the Appendix, that this parliament had some appearance of ancient precedent to justify their unworthy conduct. Various questions concerning the constituent members of the Scottish parliament; concerning the æra at which the representatives of boroughs were introduced into that assembly; and concerning the origin and power of the committee of lords of articles, occur, and have been agitated with great warmth. Since the first publication of this work, all these disputed points have been considered with calmness and accuracy in Mr. Wright's Inquiry into the Rise and Progress of Parliament, &c. 4to Edit. p. 77, &c.

* Act 222. P. 1594.

BOOK I.

THE subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength, by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto consisted, thought proper enough for the short and voluntary excursions of barons who served at their own expence, were found to be unfit either for making or defending any important conquest.

IT was in Italy, that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into many small states, the luxury of the people, and their effeminate aversion to arms, invited their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock battles only, and to decide their interior quarrels by innocent and bloodless victories, were astonished, when the French invaded their country, at the sight of real war; and as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength. Necessity and self-preservation led that ingenious people to the great secret of modern politics, by teaching them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preserved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any superiority, that could be dangerous.

A SYSTEM of conduct, pursued with so much success in Italy, was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorised by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented with

BOOK I.

with more eaſe. Confederacies were formed to humble any power which roſe above its due proportion. Revenge or ſelf-defence were no longer the only cauſes of hoſtility, it became common to take arms out of policy; and war, both in its commencement and in its operations, was more an exerciſe of the judgment, than of the paſſions of men. Almoſt every war in Europe became general, and the moſt inconſiderable ſtates acquired importance, becauſe they could add weight to either ſcale.

FRANCIS I. who mounted the throne of France in the year one thouſand five hundred and fifteen, and Charles V. who obtained the Imperial Crown in the year one thouſand five hundred and nineteen, divided between them the ſtrength and affections of all Europe. Their perpetual enmity was not owing ſolely either to perſonal jealouſy, or to the caprice of private paſſion, but was founded ſo much in nature and true policy, that it ſubſiſted between their poſterity for ſeveral ages. Charles ſucceeded to all the dominions of the houſe of Auſtria. No family had ever gained ſo much by wiſe and fortunate marriages. By acquiſitions of this kind the Auſtrian princes roſe, in a ſhort time, from obſcure counts of Hapſbourg, to be archdukes of Auſtria and kings of Bohemia, and were in poſſeſſion of the Imperial dignity by a ſort of hereditary right. Beſides theſe territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the houſe of Burgundy. The Burgundian provinces engroſſed, at that time, the riches and commerce of one half of Europe; and he drew from them, on many occaſions, thoſe immenſe ſums, which no people without trade and liberty are able to contribute. Spain furniſhed him a gallant and hardy infantry, to whoſe diſcipline he was indebted for all his conqueſts. At the ſame time, by the diſcovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhauſt. Theſe advantages rendered Charles the firſt prince in Europe; but he wiſhed to be more, and openly aſpired to univerſal monarchy. His genius was of that kind which ripens ſlowly, and lies long concealed; but it grew up, without obſervation, to an unexpected height and vigour. He poſſeſſed, in an eminent degree, the characteriſtic virtues of all the different races of princes to whom he was allied. In forming his ſchemes, he diſcovered all the ſubtlety and penetration of Ferdinand his grandfather; he purſued them with that obſtinate and inflexible perſeverance which has ever been peculiar to the Auſtrian blood; and in executing them he could employ

BOOK I. the magnanimity and boldneſs of his Burgundian anceſtors. His abilities were equal to his power, and neither of them would have been inferior to his deſigns, had not Providence, in pity to mankind, and in order to preſerve them from the worſt of all evils, Univerſal Monarchy, raiſed up Francis I. to defend the liberty of Europe. His dominions were leſs extenſive, but more united, than the emperor's. His ſubjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles, power was the only object of deſire, and he purſued it with an unwearied and joyleſs induſtry. Francis could mingle pleaſure and elegance with his ambition; and though he neglected ſome advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage ſupplied all his defects, and checked or defeated many of the emperor's deſigns.

THE reſt of Europe obſerved all the motions of theſe mighty rivals with a jealous attention. On the one ſide, the Italians ſaw the danger which threatened Chriſtendom, and in order to avert it, had recourſe to the expedient which they had often employed with ſucceſs. They endeavoured to divide the power of the two contending monarchs into equal ſcales, and, by the union of ſeveral ſmall ſtates, to counterpoiſe him whoſe power became too great. But what they concerted with much wiſdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences againſt the incroachments of military power.

ON the other ſide, Henry VIII. of England held the balance with leſs delicacy, but with a ſtronger hand. He was the third prince of the age in dignity and in power; and the advantageous ſituation of his dominions, his domeſtic tranquillity, his immenſe wealth, and abſolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his intereſt to keep the balance even, and to reſtrain both, by not joining entirely with either of them. But he was ſeldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the paſſions of the man were an overmatch for the maxims of the king. Vanity and reſentment were the great ſprings of all his undertakings, and his neighbours eaſily found the way, by touching theſe, to force him upon many raſh and inconſiſtent enterpriſes. His reign was a perpetual ſeries of blunders in politics; and while he eſteemed himſelf the wiſeſt prince in Europe, he was a conſtant dupe to thoſe who found it neceſſary, and could ſubmit, to flatter him.

IN

In this ſituation of Europe, Scotland, which had hitherto waſted her ſtrength in the quarrels between France and England, emerged from her obſcurity, took her ſtation in the ſyſtem, and began to have ſome influence upon the fate of diſtant nations. Her aſſiſtance was frequently of conſequence to the contending parties, and the balance was often ſo nicely adjuſted, that it was in her power to make it lean to either ſide. The part aſſigned her, at this juncture, was to divert Henry from carrying his arms into the continent. That prince having routed the French at Guinegat and inveſted Terouënne, France attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the ſame reaſon Francis encouraged and aſſiſted the duke of Albany to ruin the families of Angus and Home, which were in the intereſt of England, and would willingly have perſuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united not long after againſt the emperor, it was the intereſt of both kings, that the Scots ſhould continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarraſs Henry by another inroad of the Scots. For this end he made great advances to James V. flattering the vanity of the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the Imperial family; while, in return for theſe empty honours, he demanded of him to renounce his alliance with France, and to declare war againſt England. But James, who had much to loſe, and who could gain little by cloſing with the emperor's propoſals, rejected them with decency, and keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole ſtrength.

Henry himſelf began his reign by imitating the example of his anceſtors with regard to Scotland. He held its power in ſuch extreme contempt, that he was at no pains to gain its friendſhip; but, on the contrary, he irritated the whole nation, by reviving the antiquitated pretenſions of the crown of England to the ſovereignty over Scotland. But his own experience, and the example of his enemies, gave him a higher idea of its importance. It was impoſſible to defend an open and extenſive frontier againſt the incurſions of an active and martial people. During any war on the continent, this obliged him to divide the ſtrength of his kingdom. It was neceſſary to maintain a kind of army of obſervation in the North of England; and after all precautions, the Scottiſh borderers, who were ſuperior to all man-

BOOK I.

kind in the practice of irregular war, often made successful inroads, and spread terror and desolation over many counties. He fell, at last, upon the true secret of policy, with respect to Scotland, which his predecessors had too little penetration to discover, or too much pride to employ. The situation of the country, and the bravery of the people, made the conquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide, and to govern it. He abandoned, therefore, the former design, and resolved to employ his utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a subsidy. But in all ages the same arguments have been good in courts, and of weight with ministers, factious leaders, and favourites. What were the arguments by which Henry brought over so many to his interest during the minority of James V. we know by the original warrant still extant[p], for remitting considerable sums into Scotland. By a proper distribution of these, many persons of note were gained to his party, and a faction which held secret correspondence with England, and received all its directions from thence, appears henceforward in our domestic contests. In the sequel of the history, we shall find Henry labouring to extend his influence in Scotland. His successors adopted the same plan, and improved upon it. The affairs of the two kingdoms became interwoven, and their interests were often the same. Elizabeth divided her attention almost equally between them, and the authority which she inherited in the one, was not greater than that which she acquired in the other.

[p] Burn. Hist. Ref. vol. i. p. 7.

BOOK II.

MARY queen of Scots, the daughter of James V. and of Mary of Guiſe, was born a few days before the death of her father. The ſituation in which he left the kingdom alarmed all ranks of men with the proſpect of a turbulent and diſaſtrous reign. A war againſt England had been undertaken without neceſſity, and carried on without ſucceſs. Many perſons of the firſt rank had fallen into the hands of the Engliſh, in the unfortunate route near the firth of Solway, and were ſtill priſoners at London. Among the reſt of the nobles there was little union either in their views or in their affections; and the religious diſputes occaſioned by the opinions of the reformers, growing every day more violent, added to the rage of thoſe factions which are natural to a form of government nearly ariſtocratical.

Birth of Mary, Dec. 8, 1542, and ſtate of the kingdom.

THE government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was ſtill more deſtitute of real authority; and the proſpect of a long and feeble minority invited to faction by the hope of impunity. James had not even provided the common remedy againſt the diſorders of a minority, by committing to proper perſons the care of his daughter's education, and the adminiſtration of affairs in her name. Though he ſaw the clouds gathering, and foretold that they would quickly burſt into a ſtorm, he was ſo little able to diſperſe them, or to defend his daughter and kingdom againſt the imminent calamities, that, in mere deſpair, he abandoned them both to the mercy of fortune, and left open to every pretender, the office of regent, which he could not fix to his own ſatisfaction.

CARDINAL Beatoun, who had for many years been conſidered as prime miniſter, was the firſt who claimed that high dignity; and in ſupport of his pretenſions, he produced a teſtament[a], which he himſelf had forged in the name of the late king; and without any other right, inſtantly aſſumed the title of regent. He hoped, by the aſſiſtance of the clergy, the countenance of France, the connivance of the queen dowager, and the ſupport of the whole popiſh faction, to hold by force, what he had ſeized on by fraud. But Bea-

Pretenſions of cardinal Beatoun to the regency.

[a] Sadler's Lett. 161. Haynes, State Papers, 436.

toun

BOOK II.

toun had enjoyed power too long to be a favourite of the nation. Thoſe among the nobles who wiſhed for a reformation in religion dreaded his ſeverity, and others conſidered the elevation of a churchman to the higheſt office in the kingdom as a depreſſion of themſelves. At their inſtigation, James Hamilton earl of Arran, and next heir to the queen, rouſed himſelf from his inactivity, and was prevailed on to aſpire to that ſtation, to which proximity of blood gave him a natural title. The nobles, who were aſſembled for that purpoſe, unanimouſly conferred on him the office of regent; and the public voice applauded their choice [b].

Earl of Arran choſen regent.

Character of Beatoun;

No two men ever differed more widely in diſpoſition and character, than the earl of Arran and cardinal Beatoun. The cardinal was by nature of immoderate ambition; by long experience he had acquired addreſs and refinement; and inſolence grew upon him from continual ſucceſs. His high ſtation in the church placed him in the way of great civil employments; his abilities were equal to the greateſt of theſe; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that ſuperſtition, and for the ſame reaſon an avowed enemy to the doctrine of the reformers. Political motives alone determined him to ſupport the one, or to oppoſe the other. His early application to public buſineſs kept him unacquainted with the learning and controverſies of the age; he gave judgment, however, upon all points in diſpute, with a precipitancy, violence, and rigour, which contemporary hiſtorians mention with indignation.

of Arran.

The character of the earl of Arran was, in almoſt every thing, the reverſe of Beatoun's. He was neither infected with ambition, nor inclined to cruelty: the love of eaſe extinguiſhed the former, the gentleneſs of his temper preſerved him from the latter. Timidity and irreſolution were his predominant failings, the one occaſioned by his natural conſtitution, and the other ariſing from a conſciouſneſs that his abilities were not equal to his ſtation. With theſe diſpoſitions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or conſiſtence: the perpetual ſlave of his own fears, and, by conſequence, the perpetual tool of thoſe who found their advantage in practiſing upon them. But as no other perſon could be ſet in oppoſition to the cardinal, with any probability of ſucceſs, the nation declared in his favour with ſuch general

[b] Epiſt. Reg. Scot. vol. ii. p. 308.

conſent,

consent, that the artifices of his rival could not withstand its united ſtrength.

Schemes of Henry VIII. with regard to Scotland.

THE earl of Arran had ſcarce taken poſſeſſion of his new dignity, when a negociation was opened with England, which gave birth to events of the moſt fatal conſequence to himſelf, and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his deſigns againſt France; and immediately conceived hopes of rendering this ſecurity perpetual, by the marriage of Edward his only ſon with the young queen of Scots. He communicated his intention to the priſoners taken at Solway, and prevailed on them to favour it, by the promiſe of liberty, as the reward of their ſucceſs. In the mean time he permitted them to return into Scotland, that, by their preſence in the parliament which the regent had called, they might be the better able to perſuade their countrymen to fall in with his propoſals. A cauſe, intruſted to ſuch able and zealous advocates, could not well miſs of coming to an happy iſſue. All thoſe who feared the cardinal, or who deſired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own perſons, againſt the rage of that powerful and haughty prelate.

Ill-conducted by himſelf.

BUT Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Addreſs and delicacy in managing the fears, and follies, and intereſts of men, were arts with which he was utterly unacquainted. The deſigns he had formed upon Scotland were obvious from the marriage which he had propoſed, and he had not dexterity enough to diſguiſe or to conceal them. Inſtead of yielding to the fear or jealouſy of the Scots, what time and accidents would ſoon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's perſon ſhould be immediately committed to his cuſtody, and that the government of the kingdom ſhould be put into his hands during her minority.

Odious to the Scots, though in part accepted by them.

HENRY could not have preſcribed more ignominious conditions to a conquered people, and it is no wonder they were rejected, with indignation, by men who ſcorned to purchaſe an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England; deſirous of peace with that kingdom; and delivered, by the regent's confining the cardinal as a priſoner, from any oppoſition to which he might have given riſe; conſented to a treaty of

March 12, 1543.

marriage

BOOK II.

marriage and of union, but upon terms somewhat more equal. After some dark and unsuccessful intrigues, by which his ambassador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side, he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England as soon as she attained the full age of ten years, and instantly to deliver six persons of the first rank, to be kept as hostages by Henry till the queen's arrival at his court.

Favoured by the regent.

THE treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost.

Opposed by the cardinal.

He complained loudly that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but above all, he lamented to see an ancient kingdom consenting to its own servitude, descending into the ignominious station of a dependent province; and, in one hour, the weakness or treachery of a single man surrendering every thing for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from consenting to an union with England, upon terms of great advantage, did at that time induce the whole nation to declare against the alliance which had been concluded. In the one period, an hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, the wounds on both sides were open, and in the warmth of resentment, it was natural to seek revenge, and to be averse from reconcilement. At the Union in one thousand seven hundred and seven, the wisdom of parliament despised the ground-

groundless murmurs occasioned by antiquated prejudices; but in one thousand five hundred and forty-three, the complaints of the nation were better founded, and urged with a zeal and unanimity, which it is neither just nor safe to disregard. A rash measure of the king of England added greatly to the violence of this national animosity. The Scots, relying on the treaty of marriage and union, fitted out several ships for France, with which their trade had been interrupted for some time. These were driven by stress of weather to take refuge in different ports of England; and Henry, under pretext that they were carrying provisions to a kingdom with which he was at war, ordered them to be seized and condemned as lawful prizes [c]. The Scots, astonished at this proceeding of a prince, whose interest it was manifestly, at that juncture, to court and to sooth them, felt it not only as an injury, but as an insult, and expressed all the resentment natural to an high-spirited people [d]. Their rage rose to such an height, that the English ambassador could hardly be protected from it. One spirit seemed now to animate all orders of men. The clergy offered to contribute a great sum towards preserving the church from the dominion of a prince, whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

1543.

Provoked by the regent.

Opposed by the cardinal.

He excites almost the whole nation against the English.

ARGYLL, Huntly, Bothwell, and other powerful barons, declared openly against the alliance with England. By their

[c] Keith, 32, 34. Epist. Reg. Scot. ii. App. 321. Hamilton MSS. fol. 1, 389.

[d] In the MS. Collection of Papers belonging to the Duke of Hamilton, Sir Ralph Sadler describes the spirit of the Scots as extremely outrageous. In his letter from Edinburgh, September 1, 1543, he says, "The fray in the ships has brought the people of this town, both men and women, and especially the merchants, into such a rage and fury, that the whole town is commoved against me, and swear great oath, that if their ships are not restored, that they would have their amends of me and mine; and that they would set my house more on fire over my head, so that one of us should not escape alive; and also it hath much incensed and provoked the people against the governor, saying, that he hath coloured a peace with your Majesty only to undo them. This is the unreasonableness of the people, which live here in such a beastly liberty, that they neither regard God nor governor; nor yet justice, or any good policy, doth take place among them; assuring your highness that, unless the ships be delivered, there will be none abiding here for me without danger." Vol. 4516. In his letter of September 5, he writes, that the rage of the people still continued so violent, "that neither I nor any of my folks dare go out of my doors; and the provost of the town, who hath much ado to stay them from assaulting me in my house, and keepeth watch therefore nightly, hath fenced me sundry times, and prayed me to keep myself and my folks within, for it is not in his power to represse or allay the fury of the people. They say plainly, I shall never pass out of the town alive, except they have their ships restored. This is the rage and beastliness of this nation, which God keep all honest men from." Ib. 4718.

assistance,

BOOK II.

assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name[s]. He received, at the same time, a more real accession to his strength, by the arrival of Matthew Stewart earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with so much respect, that the regent became jealous of him as a rival in power.

THIS suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partisan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments, by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people; the resentment of France, the power of the cardinal, and the pretensions of Lennox; were all represented with aggravation, and with their most threatening aspect.

MEANWHILE, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last with that irresolution and inconsistence which is peculiar to weak men when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August he ratified the treaty with Henry[t], and proclaimed the cardinal, who still continued to oppose it, an enemy to his country. On the third of September he secretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendship of England, and declared for the interests of France[u].

Obliges the regent to renounce the friendship with England;

HENRY, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But, upon finding his interest in the

[s] Keith's Hist. of Scotl. 30. [t] Rymer, Fœd. xv. p. 4.
[u] Sadler, 339. 356. Hamilton MSS. i. 470, &c.

kingdom to be less considerable than he had imagined, the English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent could not retain his authority, without a sudden change of his measures; and though he endeavoured, by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to throw himself into the arms of the party which adhered to France.

and to persecute the reformers.

Soon after this sudden revolution in his political principles, the regent changed his sentiments concerning religion. The spirit of controversy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers; and having been powerfully supported by those who had embraced their opinions, he, in order to gratify them, entertained in his own family two of the most noted preachers of the protestant doctrine, and in his first parliament, consented to an act, by which the laity was permitted to read the scriptures in a language which they understood [h]. Truth needed only a fair hearing to be an over-match for error. Absurdities, which had long imposed on the ignorance and credulity of mankind, were detected and exposed to public ridicule; and under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern, and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions so favourable to Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce, founded on the pope's authority; and that by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument by which it could be rendered doubtful [i]. These insinuations made a deep impression on

[h] Keith, p. 36, 37.

[i] The pretensions of the earl of Lennox to the succession were thus founded. Mary, the daughter of James II. was married to James lord Hamilton, whom James III. created earl of Arran on that account. Elizabeth, a daughter of that marriage, was the wife of Matthew earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father having married Janet Beatoun the regent's mother, after he had obtained a divorce

BOOK II.

on the regent's timorous ſpirit, who at the proſpect of ſuch imaginary dangers, was as much ſtartled as the meaneſt could have wiſhed; and his zeal for the proteſtant religion was not long proof againſt his fear. He publicly abjured the doctrine of the reformers in the Franciſcan church at Stirling, and declared not only for the political, but the religious opinions of his new confidents.

THE proteſtant doctrine did not ſuffer much by his apoſtacy. It had already taken ſo deep root in the kingdom, that no diſcouragement or ſeverity could extirpate it. The regent indeed conſented to every thing that the zeal of the cardinal thought neceſſary for the preſervation of the eſtabliſhed religion. The reformers were perſecuted with all the cruelty which ſuperſtition inſpires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the puniſhment of its enemies; but they ſuffered with a ſpirit ſo nearly reſembling the patience and fortitude of the primitive martyrs, that more were converted than terrified by ſuch ſpectacles.

Beatoun engroſſes the chief direction of affairs.

THE cardinal however was now in poſſeſſion of every thing his ambition could deſire; and exerciſed all the authority of a regent, without the envy of the name. He had nothing to fear from the earl of Arran, who having by his inconſiſtency forfeited the public eſteem, was contemned by one half of the nation, and little truſted by the other. The pretenſions of the earl of Lennox were the only thing which remained to embarraſs him. He had very ſucceſsfully made uſe of that nobleman to work upon the regent's jealouſy and fear, but as he no longer ſtood in need of ſuch an inſtrument, he was willing to get rid of him with decency. Lennox ſoon began to ſuſpect his intention; promiſes, flattery, and reſpect, were the only returns he had hitherto received for ſubſtantial ſervices; but at laſt the cardinal's artifices could no longer be concealed, and Lennox, inſtead of attaining power and dignity himſelf, ſaw that he had been employed only to procure theſe for another. Reſentment and diſappointed ambition urged him to ſeek revenge on that cunning prelate, who, by ſacrificing his intereſt, had ſo ungenerouſly purchaſed the earl of Arran's friendſhip. He withdrew, for that reaſon, from court, and declared for the party at enmity with the cardinal, which with open arms, received a convert who added ſo much luſtre to their cauſe.

a divorce from Elizabeth Home his former wife, Lennox pretended that the ſentence of divorce was unjuſt, and that the regent being born while Elizabeth Home was ſtill alive, ought to be conſidered as illegitimate. Crawf. Peer. 192.

THE

This [illegible] divided the kingdom were [illegible] the time, without any [illegible] their views or principles, but by [illegible] which were frequent in that age, they [illegible] their leaders. The regent was at the head of the partizans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, whilst the other upheld with the same hand that had hitherto endeavoured to destroy it.

LENNOX's impatience for revenge got the start of the cardinal's activity. He surprised both him and the regent by a sudden march to Edinburgh with a numerous army, and might easily have crushed them before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops who served, as is usual wherever the feudal institutions prevail, at their own expence, deserted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut to pieces, and the rest dispersed; and with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

HENRY was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who, at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded for some time the execution of his vengeance. But in the spring a considerable body of infantry, which was destined for France, received orders to sail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces; and, from an unaccountable security, were wholly unprovided for the defence of the kingdom. The earl of Hertford, a leader fatal to the Scots in that age, commanded this army, and landed it, without opposition, a few miles above Leith. He was quickly master of that place, and marching directly to Edinburgh, entered it with the same ease. After plundering the adjacent country, the richest and most open in Scotland, he set on fire both

Henry invades Scotland.

May 1544.

BOOK II. these towns, and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land forces retired safely to the English borders, delivering the kingdom, in a few days, from the terror of an invasion, concerted with little policy, carried on at great expence, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition; if the marriage he had proposed was still in view, he lost a great deal. Such a rough courtship, as the earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated from England.

The earl of Lennox alone, in spite to the regent and French king, continued a correspondence with England, which ruined his own interest, without promoting Henry's[k]. Many of his own vassals, preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. After a few feeble and unsuccessful attempts to disturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded services which he had the inclination, but not the power to perform, by giving him in marriage his niece the lady Margaret Douglas. This unhappy exile, however, was destined to be the father of a race of kings. He saw his son Lord Darnley mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. From that time his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

A peace concluded.

Meanwhile hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads, which, as they did not produce any considerable effect, at this distance of time deserve no remembrance[l]. At last an end was put to this languid

[k] Rymer, xv. p. 88.

[l] Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which give us some idea of the miseries to which some of the most fertile counties in the kingdom were exposed, by the sudden and destructive incursions of the borderers. The first seems to be the report made to Henry by the English wardens of the marches for the year 1444, and contains their exploits from the 1st of July to the 17th of November. The account it gives of the different re-

and inactive way, by a peace, in which England, France, and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reserve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the last consequence to Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies who had served him with fidelity, and he chose rather to purchase Henry's friendship with disadvantage to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity of that haughty prince; by submission, flattery, and address, he at length prevailed to have the Scots included in the peace agreed upon.

BOOK II.

The murder of Beatoun.

An event which happened a short time before the conclusion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not used his power with moderation, equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His resentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and, above all, the barbarous and illegal execution of the famous George

roads, or *Forrays*, as they are called, is very minute; and in conclusion, the sum total of mischief they did is thus computed:

Towns, towers, stedes, barnekyns, parishe-churches, baitel-houses, cast down or burnt	192
Scots slain	403
Prisoners taken	816
Nolt, i. e. horned cattle, taken	10,386
Sheep	12,492
Nags and geldings	1,296
Goats	200
Bolls of corn	850
Insight-gear, i. e. household furniture, not reckoned.	

Haynes's State Papers, 45.

The other contains an account of an inroad by the earl of Hertford, between the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, razed, and destroyed, in the counties of Berwick and Roxburgh only,

Monasteries and Friar-houses	5
Castles, towers, and piles	16
Market towns	5
Villages	243
Mills	13
Hospitals	1

All these were cast down or burnt. Haynes, 92. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their raids were no less woeful than the *forrays* of the English.

BOOK II.

Wiſhart, a man of honourable birth and of primitive ſanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public with his deſtruction. Private revenge, inflamed and ſanctified by a falſe zeal for religion, quickly ſupplied this want. Norman Leſly, the eldeſt ſon of the earl of Rothes, had been treated by the cardinal with injuſtice and contempt. It was not the temper of the man, or the ſpirit of the times, quietly to digeſt an affront. As the profeſſion of his adverſary ſcreened him from the effects of what is called an honourable reſentment, he reſolved to take that ſatisfaction which he could not demand. This reſolution deſerves as much cenſure, as the ſingular courage and conduct with which he put it in execution excite wonder. The cardinal at that time reſided in the caſtle of Saint Andrew's, which he had fortified at great expence, and in the opinion of the age had rendered it impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependents. In this ſituation, ſixteen perſons undertook to ſurprize his caſtle, and to aſſaſſinate himſelf; and their ſucceſs was equal to the boldneſs of the attempt. Early in the morning they ſeized on the gate of the caſtle, which was ſet open to the workmen who were employed in finiſhing the fortifications; and having placed centries at the door of the cardinal's apartment, they awakened his numerous domeſtics one by one, and turning them out of the caſtle, they, without noiſe or tumult, or violence to any other perſon, delivered their country, though by a moſt unjuſtifiable action, from an ambitious man, whoſe pride was inſupportable to the nobles, as his cruelty and cunning were great checks to the reformation.

May 29, 1546.

The regent attempts in vain to ſeize the murderers.

His death was fatal to the catholic religion, and to the French intereſt in Scotland. The ſame zeal for both continued among a great party in the nation, but when deprived of the genius and authority of ſo ſkilful a leader, operated with leſs effect. Nothing can equal the conſternation which a blow ſo unexpected occaſioned among ſuch as were attached to him; while the regent ſecretly enjoyed an event, which removed out of his way a rival, who had not only eclipſed his greatneſs, but almoſt extinguiſhed his power. Decency, however, the honour of the church, the importunity of the queen dowager and her adherents, his engagements with France, and above all theſe, the deſire of recovering his eldeſt ſon, whom the cardinal had detained for ſome time at Saint Andrew's, in pledge of his fidelity, and who, together with the caſtle, had fallen into the hands of the conſpirators, induced

induced him to take arms, in order to revenge the death of a man whom he hated. BOOK II.

He threatened vengeance, but was unable to execute it. One part of military ſcience, the art of attacking fortified places, was then imperfectly underſtood in Scotland. The weapons, the diſcipline, and impetuoſity of the Scots, rendered their armies as unfit for ſieges, as they were active in the field. An hundred and fifty men, which was the greateſt number the conſpirators ever aſſembled, reſiſted all the efforts of the regent for five months [m], in a place which a ſingle battalion, with a few battering cannon, would now reduce in a few hours. This tedious ſiege was concluded by a truce. The regent undertook to procure for the conſpirators an abſolution from the pope, and a pardon in parliament; and upon obtaining theſe, they engaged to ſurrender the caſtle, and to ſet his ſon at liberty.

It is probable, that neither of them were ſincere in this treaty. On both ſides they ſought only to amuſe, and to gain time. The regent had applied to France for aſſiſtance, and expected ſoon to have the conſpirators at mercy. On the other hand, if Leſly and his aſſociates were not at firſt incited by Henry to murder the cardinal, they were, in the ſequel, powerfully ſupported by him. Notwithſtanding the ſilence of contemporary hiſtorians, there are violent preſumptions of the former; of the latter there is undoubted certainty [n]. During the ſiege, the conſpirators had received from England ſupplies both of money and proviſions; and as Henry was preparing to renew his propoſals concerning the marriage and the union he had projected, and to ſecond his negotiations with a numerous army, they hoped, by concurring with him, to be in a ſituation in which they would no longer need a pardon, but might claim a reward.

The death of Henry blaſted all theſe hopes. It happened in the beginning of next year, after a reign of greater ſplendour than true glory; buſtling, though not active; oppreſſive in domeſtic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind, than the virtues of others. His rapaciouſneſs, his profuſion, and even his tyranny, by depreſſing the ancient nobility, and by adding new property and power to the commons, laid or ſtrengthened the foundations of the Britiſh liberty. His other paſſions contributed no leſs towards the downfal of popery, and the eſtabliſhment of religious freedom in the nation. His reſentment led him to aboliſh the power, January 28, 1547.

[m] Epiſt. Reg. Scot. 1. 379. [n] Keith, 60.

BOOK II

and his covetouſneſs to ſeize the wealth, of the church; and by withdrawing theſe ſupports, made it eaſy, in the following reign, to overturn the whole fabric of ſuperſtition.

Troops arrive from France.

FRANCIS I. did not long ſurvive a prince, who had been alternately his rival and his friend; but his ſucceſſor Henry II. was not neglectful of the French intereſt in Scotland. He ſent a conſiderable body of men, under the command of Leon Strozzi, to the regent's aſſiſtance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of ſieges, as the Scots were ignorant; and as the boldneſs and deſpair of the conſpirators could not defend them againſt the ſuperior art of theſe new aſſailants, they, after a ſhort reſiſtance, ſurrendered to Strozzi, who engaged, in the name of the king his maſter, for the ſecurity of their lives; and, as his priſoners, tranſported them into France. The caſtle itſelf, the monument of Beatoun's power and vanity, was demoliſhed, in obedience to the canon law, which, with admirable policy, denounces its anathemas even againſt the houſes in which the ſacred blood of a cardinal happens to be ſhed, and ordains them to be laid in ruins.

Force the caſtle of St. Andrew's to ſurrender.

THE archbiſhopric of St. Andrew's was beſtowed by the regent upon his natural brother John Hamilton, abbot of Paiſley.

New breach with England.

THE delay of a few weeks would have ſaved the conſpirators. Thoſe miniſters of Henry VIII. who had the chief direction of affairs during the minority of his ſon Edward VI. conducted themſelves, with regard to Scotland, by the maxims of their late maſter, and reſolved to frighten the Scots into a treaty, which they had not abilities or addreſs to bring about by any other method.

BUT before we proceed to relate the events which their invaſion of Scotland occaſioned, we ſhall ſtop to take notice of a circumſtance unobſerved by contemporary hiſtorians, but extremely remarkable for the diſcovery it makes of the ſentiments and ſpirit which then prevailed among the Scots. The conſpirators againſt cardinal Beatoun found the regent's eldeſt ſon in the caſtle of St. Andrew's; and as they needed the protection of the Engliſh, it was to be feared that they might endeavour to purchaſe it, by delivering to them this important prize. The preſumptive heir to the crown in the hands of the avowed enemies of the kingdom, was a dreadful proſpect. In order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpoſe,

* Burn. Hiſt. Ref. 1. 338.

they

they excluded "the regent's eldeſt ſon from all right of "ſucceſſion, public or private, ſo long as he ſhould be "detained a priſoner, and ſubſtituted in his place his other "brothers, according to their ſeniority, and in failure of "them, thoſe who were next heirs to the regent[p]." Succeſſion by hereditary right is an idea ſo obvious and ſo popular, that a nation ſeldom ventures to make a breach in it, but in caſes of extreme neceſſity. Such a neceſſity did the parliament diſcover in the preſent ſituation. Hatred to England, founded on the memory of paſt hoſtilities, and heightened by the ſmart of recent injuries, was the national paſſion. This dictated that uncommon ſtatute, by which the order of lineal ſucceſſion was ſo remarkably broken. The modern theories, which repreſent this right as divine and unalienable, and that ought not to be violated upon any conſideration whatſoever, ſeem to have been then altogether unknown.

Scotland invaded by the Engliſh.

In the beginning of September, the earl of Hertford, now duke of Somerſet, and protector of England, entered Scotland at the head of eighteen thouſand men, and, at the ſame time, a fleet of ſixty ſhips appeared on the coaſt to ſecond his land forces. The Scots had for ſome time obſerved this ſtorm gathering, and were prepared for it. Their army was almoſt double to that of the enemy, and poſted to the greateſt advantage on a riſing ground, above Muſſelburgh, not far from the banks of the river Eſke. Both theſe circumſtances alarmed the duke of Somerſet, who ſaw his danger, and would willingly have extricated himſelf out of it, by a new overture of peace, on conditions extremely reaſonable. But this moderation being imputed to fear, his propoſals were rejected with that ſcorn which the confidence of ſucceſs inſpires; and if the conduct of the regent, who commanded the Scottiſh army, had been in any degree equal to his confidence, the deſtruction of the Engliſh muſt have been inevitable. They were in a ſituation preciſely ſimilar to that of their countrymen under Oliver Cromwell in the following century. The Scots had choſen their ground ſo well, that it was impoſſible to force them to give battle; a few days had exhauſted the forage and proviſion of a narrow country; the fleet could only furniſh a ſcanty and precarious ſubſiſtence; a retreat therefore was neceſſary; but diſgrace, and perhaps ruin, were the conſequences of retreating.

On both theſe occaſions, the national heat and impetuoſity of the Scots ſaved the Engliſh, and precipitated their own

[p] Epiſt. Reg. Scot. 2. 339.

BOOK II.

Battle of Pinkey, September 30, 1547.

country into the utmoſt danger. The undiſciplined courage of the private men became impatient at the ſight of an enemy. The general was afraid of nothing, but that the Engliſh might eſcape from him by flight; and leaving his ſtrong camp, he attacked the duke of Somerſet near Pinkey, with no better ſucceſs than his raſhneſs deſerved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his ſide. The Scottiſh army conſiſted almoſt entirely of infantry, whoſe chief weapon was a long ſpear, and for that reaſon their files were very deep and their ranks cloſe. They advanced towards the enemy in three great bodies, and, as they paſſed the river, were conſiderably expoſed to the fire of the Engliſh fleet, which lay in the bay of Muſſelburgh, and had drawn near the ſhore. The Engliſh cavalry, flushed with an advantage which they had gained in a ſkirmiſh ſome days before, began the attack with more impetuoſity than good conduct. A body ſo firm and compact as the Scots eaſily reſiſted the impreſſion of cavalry, broke them, and drove them off the field. The Engliſh infantry, however, advanced, and the Scots were at once expoſed to a flight of arrows, to a fire in flank from four hundred foreign fuſileers who ſerved the enemy, and to their cannon, which were planted behind the infantry on the higheſt part of the eminence. The depth and cloſeneſs of their order making it impoſſible for the Scots to ſtand long in this ſituation, the earl of Angus, who commanded the vanguard, endeavoured to change his grouud, and to retire towards the main body. But his friends unhappily miſtook his motion for a flight, and fell into confuſion. At that very inſtant, the broken cavalry, having rallied, returned to the charge; the foot purſued the advantage they had gained; the proſpect of victory redoubled the ardour of both: and in a moment the rout of the Scottiſh army became univerſal and irretrievable. The encounter in the field was not long nor bloody; but in the purſuit, the Engliſh diſcovered all the rage and fierceneſs which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inſpire. The purſuit was continued for five hours, and to a great diſtance. All the three roads by which the Scots fled, were ſtrewed with ſpears, and ſwords, and targets, and covered with the bodies of the ſlain. Above ten thouſand men fell on this day, one of the moſt fatal Scotland had ever ſeen. A few were taken priſoners, and among theſe ſome perſons of diſtinction. The protector had it now in his power to become maſter of a king-

dom, out of which, not many hours before, he was almoſt obliged to retire with infamy.

BOOK II.

Their victory of little benefit to the Engliſh.

But this victory, however great, was of no real utility, for want of ſkill or of leiſure to improve it. Every new injury rendered the Scots more averſe from an union with England; and the protector neglected the only meaſure which would have made it neceſſary for them to have given their conſent to it. He amuſed himſelf in waſting the open country, and in taking or building ſeveral petty caſtles; whereas, by fortifying a few places which were acceſſible by ſea, he would have laid the kingdom open to the Engliſh, and, in a ſhort time, the Scots muſt either have accepted of his terms, or have ſubmitted to his power. By ſuch an improvement of it, the victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The ſituation of the Engliſh court may, indeed, be pleaded in excuſe for the duke of Somerſet's conduct. That cabal of his enemies, which occaſioned his tragical end, was already formed; and while he triumphed in Scotland, they ſecretly undermined his power and credit at home. Self-preſervation, therefore, obliged him to prefer his ſafety before his fame, and to return without reaping the fruits of his victory. At this time,

q The following paſſage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commiſſion with Cecil, as judge marſhal of the army, and printed in 1548, deſerves our notice; as it gives a juſt idea of the military diſcipline of the Scots at that time. "But what after I learned, ſpecially touching their order, their armour, and their manner as well of going to offend, as of ſtanding to defend, I have thought neceſſary here to utter. Hackbutters have they few or none, and appoint their fight moſt commonly always a foot. They come to the field well furniſhed all with jack and ſkull, dagger and buckler, and ſwords all broad and thin, of exceeding good temper, and univerſally ſo made to ſlice, that as I never ſaw none ſo good, ſo I think it hard to deviſe the better. Hereto every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thruſt ſo near to the fore rank, ſhoulder and ſhoulder together, with their pikes in both their hands ſtraight afore them, and their followers in that order ſo hard at their backs, laying their pikes over their foregoers ſhoulders, that if they no aſſail undiſcovered, no force can well withſtand them. Standing at defence they thruſt ſhoulder like-wiſe ſo nigh together, the fore ranks well nigh to kneeling, ſtoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of their pike againſt their right foot, and the other againſt the enemy breaſt-high; their followers croſſing their pike points with them forward; and thus each with other ſo nigh as ſpace and place will ſuffer, through the whole ward, ſo thick, that as eaſily ſhall a bare finger pierce through the ſkin of an angry bodge-hog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition. Life of Edward VI. 279, &c.

The length of the Scotch pike or ſpear was appointed by Act 44. P. 1471, to be ſix ells; i. e. eighteen feet ſix inches.

however,

BOOK II. however, the cloud blew over; the conſpiracy by which he fell was not yet ripe for execution; and his preſence ſuſpended its effect for ſome time. The ſupreme power ſtill remaining in his hands, he employed it to recover the opportunity which he had loſt. A body of troops, by his command, ſeized and fortified Haddingtoun, a place which, on account of its diſtance from the ſea, and from any Engliſh garriſon, could not be defended without great expence and danger.

April, 1548.

Forces the Scots into a cloſer union with France,

MEANWHILE the French gained more by the defeat of their allies, than the Engliſh by their victory. After the death of cardinal Beatoun, Mary of Guiſe, the queen dowager, took a conſiderable ſhare in the direction of affairs. She was warmly attached by blood, and by inclination, to the French intereſt: and, in order to promote it, improved with great dexterity every event which occurred. The ſpirit and ſtrength of the Scots were broken at Pinkey; and in an aſſembly of nobles which met at Stirling to conſult upon the ſituation of the kingdom, all eyes were turned towards France, no proſpect of ſafety appearing but in aſſiſtance from thence. But Henry II. being then at peace with England, the queen repreſented that they could not expect him to take part in their quarrel, but upon views of perſonal advantage; and that without extraordinary conceſſions in his favour, no aſſiſtance, in proportion to their preſent exigencies, could be obtained. The prejudices of the nation powerfully ſeconded theſe repreſentations of the queen. What often happens to individuals, took place among the nobles in this convention; they were ſwayed entirely by their paſſions; and in order to gratify them, they deſerted their former principles, and diſregarded their true intereſt. In the violence of reſentment, they forgot that zeal for the independence of Scotland, which had prompted them to reject the propoſals of Henry VIII.; and by offering, voluntarily, their young queen in marriage to the dauphin, eldeſt ſon of Henry II., and, which was ſtill more, by propoſing to ſend her immediately into France to be educated at his court, they granted, from a thirſt of vengeance, what formerly they would not yield upon any conſideration of their own ſafety. To gain at once ſuch a kingdom as Scotland, was a matter of no ſmall conſequence to France. Henry, without heſitation, accepted the offers of the Scottiſh ambaſſadors, and prepared for the vigorous defence of his new acquiſition. Six thouſand veteran ſoldiers, under the command of Monſieur Deſſé, aſſiſted by ſome of the beſt officers who were formed in the long wars of Francis I.

and to offer their queen in marriage to the dauphin.

arrived

arrived at Leith. They ſerved two campaigns in Scotland, with a ſpirit equal to their former fame. But their exploits were not conſiderable. The Scots, ſoon becoming jealous of their deſigns, neglected to ſupport them with proper vigour. The caution of the Engliſh, in acting wholly upon the defenſive, prevented the French from attempting any enterpriſe of conſequence; and obliged them to exhauſt their ſtrength in tedious ſieges, undertaken under many diſadvantages. Their efforts, however, were not without ſome benefit to the Scots by compelling the Engliſh to evacuate Haddingtoun, and to ſurrender ſeveral ſmall forts, which they poſſeſſed in different parts of the kingdom.

But the effects of theſe operations of his troops were ſtill of greater importance to the French king. The diverſion which they occaſioned enabled him to wreſt Boulogne out of the hands of the Engliſh; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures which had been made to him, by the aſſembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonſtrate againſt ſuch extravagant conceſſions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raiſed to be maſter of the kingdom; by which the friendſhip of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended againſt the other. A point of ſo much conſequence was haſtily decided in a parliament aſſembled in the camp before Haddingtoun: the intrigues of the queen dowager, the zeal of the clergy, and reſentment againſt England, had prepared a great party in the nation for ſuch a ſtep; the French general and ambaſſador, by their liberality and promiſes, gained over many more. The regent himſelf was weak enough to ſtoop to the offer of a penſion from France, together with the title of duke of Chatelherault in that kingdom. A conſiderable majority declared for the treaty, and the intereſt of a faction was preferred before the honour of the nation.

The treaty for that purpoſe concluded.

June 5, 1548.

Having hurried the Scots into this raſh and fatal reſolution, the ſource of many calamities to themſelves and to their ſovereign, the French allowed them no time for reflection or repentance. The fleet which had brought over their forces was ſtill in Scotland, and without delay convoyed the queen into France. Mary was then ſix years old, and by her education in that court, one of the politeſt but moſt corrupted in Europe, ſhe acquired every accompliſhment that could add to her charms as a woman, and contracted

Mary ſent to be educated in France.

BOOK II. many of those prejudices which occasioned her misfortunes as a queen.

FROM the time that Mary was put into their hands, it was the interest of the French to suffer the war in Scotland to languish. The recovery of the Boulonnois was the object which the French king had most at heart; but a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerset's power had been acquired with too much violence, and was exercised with too little moderation, to be of long continuance. Many good qualities, added to great love of his country, could not atone for his ambition in usurping the sole direction of affairs. Many of the most eminent courtiers combined against him; and the earl of Warwick, their leader, no less ambitious but more artful than Somerset, conducted his measures with so much dexterity as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Peace concluded.

HENRY was no stranger to Warwick's situation, and improved his knowledge of it to good purpose, in conducting the negotiations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were razed; and peace between the two kingdoms was established on its ancient foundation.

March 24, 1550.

BOTH the British nations lost power, as well as reputation, by this unhappy quarrel. It was on both sides a war of emulation and resentment, rather than of interest; and was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered into it with greater coolness, conducted it with more skill; and by dexterously availing themselves of every circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the

Scots

Scots against their ancient enemies bestowed on them the latter; their own address and good policy merited both.

BOOK II.

The Scots become jealous of the French.

Immediately after the conclusion of the peace, the French forces left Scotland, as much to their own satisfaction, as to that of the nation. The Scots soon found, that the calling to their assistance a people more powerful than themselves was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and on many occasions they repented the rash invitation which they had given. The peculiar genius of the French nation heightened this disgust, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the present, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the south or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own customs, because they want knowledge and taste to discover the reasonableness and propriety of customs which differ from them. Nations, which hold the first rank in politeness, are frequently no less tenacious out of pride. The Greeks were so in the ancient world; and the French are the same in the modern. Full of themselves; flattered by the imitation of their neighbours; and accustomed to consider their own modes as the standards of elegance; they scorn to disguise, or to lay aside, the distinguishing manners of their own nation, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies has, on every occasion, been insupportable to strangers, and has always exposed them to hatred, and often to destruction. In that age, they over-ran Italy four several times by their valour, and lost it as often by their insolence. The Scots, naturally an irascible and high-spirited people, and who, of all nations, can least bear the most distant insinuation of contempt, were not of a temper to admit all the pretensions of such assuming guests. The symptoms of alienation were soon visible; they seconded the military operations of the French troops with the utmost coldness; their disgust grew insensibly to a degree of indignation that could hardly be restrained; and on occasion of a very slight accident, broke out with fatal violence. A private French soldier engaging in an idle quarrel with a citizen of Edinburgh, both nations took arms, with equal rage, in defence of their countrymen. The provost of Edinburgh, his son, and

BOOK II.

and ſeveral citizens of diſtinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithſtanding the ancient alliance of France and Scotland, and the long intercourſe of good offices between the two nations, an averſion for the French took its riſe at this time among the Scots, the effects whereof were deeply felt, and operated powerfully through the ſubſequent period.

Progreſs of the reformation.

FROM the death of cardinal Beatoun, nothing has been ſaid of the ſtate of religion. While the war with England continued, the clergy had no leiſure to moleſt the proteſtants; and they were not yet conſiderable enough to expect any thing more than connivance and impunity. The new doctrines were ſtill in their infancy; but during this ſhort interval of tranquillity, they acquired ſtrength, and advanced by large and firm ſteps towards a full eſtabliſhment in the kingdom. The firſt preachers againſt popery in Scotland, of whom ſeveral had appeared during the reign of James V. were more eminent for zeal and piety, than for learning. Their acquaintance with the principles of the reformation was partial, and at ſecond hand; ſome of them had been educated in England; all of them had borrowed their notions from the books publiſhed there; and in the firſt dawn of the new light, they did not venture far before their leaders. But in a ſhort time the doctrines and writings of the foreign reformers became generally known; the inquiſitive genius of the age preſſed forward in queſt of truth; the diſcovery of one error opened the way to others; the downfal of one impoſture drew many after it; the whole fabric, which ignorance and ſuperſtition had erected in times of darkneſs, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extenſive views, than any of his predeceſſors in Scotland, poſſeſſed a natural intrepidity of mind, which ſet him above fear. He began his public miniſtry at St. Andrew's in the year one thouſand five hundred and forty-ſeven, with that ſucceſs which always accompanies a bold and popular eloquence. Inſtead of amuſing himſelf with lopping the branches, he ſtruck directly at the root of popery, and attacked both the doctrine and diſcipline of the eſtabliſhed church, with a vehemence peculiar to himſelf, but admirably ſuited to the temper and wiſhes of the age.

AN adverſary ſo formidable as Knox, would not have eaſily eſcaped the rage of the clergy, who obſerved the tendency and

and progreſs of his opinions with the utmoſt concern. But, at firſt, he retired for ſafety into the caſtle of St. Andrew's, and while the conſpirators kept poſſeſſion of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII. contributed no leſs than the zeal of Knox towards demoliſhing the popiſh church in Scotland. Henry had looſened the chains, and lightened the yoke of popery. The miniſters of his ſon Edward VI. caſt them off altogether, and eſtabliſhed the proteſtant religion upon almoſt the ſame footing whereon it now ſtands in that kingdom. The influence of this example reached Scotland, and the happy effects of eccleſiaſtical liberty in the one nation, inſpired the other with an equal deſire of recovering it. The reformers had, hitherto, been obliged to conduct themſelves with the utmoſt caution, and ſeldom ventured to preach, but in private houſes, and at a diſtance from court; they gained credit, as happens on the firſt publication of every new religion, chiefly among perſons in the lower and middle rank of life. But ſeveral noblemen, of the greateſt diſtinction, having, about this time, openly eſpouſed their principles, they were no longer under the neceſſity of acting with the ſame reſerve; and with more ſecurity and encouragement, they had likewiſe greater ſucceſs. The means of acquiring and ſpreading knowledge became more common, and the ſpirit of innovation, peculiar to that period, grew every day bolder and more univerſal. BOOK II.

HAPPILY for the Reformation, this ſpirit was ſtill under ſome reſtraint. It had not yet attained firmneſs and vigour ſufficient to overturn a ſyſtem founded on the deepeſt policy, and ſupported by the moſt formidable power. Under the preſent circumſtances, any attempt towards action muſt have been fatal to the proteſtant doctrines; and it is no ſmall proof of the authority, as well as penetration, of the heads of the party, that they were able to reſtrain the zeal of a fiery and impetuous people, until that critical and mature juncture, when every ſtep they took was deciſive and ſucceſsful.

MEANWHILE their cauſe received reinforcement from two different quarters whence they never could have expected it. The ambition of the houſe of Guiſe, and the bigotry of Mary of England, haſtened the ſubverſion of the papal throne in Scotland; and by a ſingular diſpoſition of Providence, the perſons who oppoſed the Reformation in every other part of Europe with the fierceſt zeal, were made inſtruments for advancing it in that kingdom.

MARY

BOOK II.

The queen dowager aſpires to the office of regent.

MARY of Guiſe poſſeſſed the ſame bold and aſpiring ſpirit which diſtinguiſhed her family. But in her it was ſoftened by the female character, and accompanied with great temper and addreſs. Her brothers, in order to attain the high objects at which they aimed, ventured upon ſuch daring meaſures as ſuited their great courage. Her deſigns upon the ſupreme power were concealed with the utmoſt care, and advanced by addreſs and refinements more natural to her ſex. By a dexterous application of thoſe talents, ſhe had acquired a conſiderable influence on the councils of a nation hitherto unacquainted with the government of women; and, without the ſmalleſt right to any ſhare in the adminiſtration of affairs, had engroſſed the chief direction of them into her own hands. But ſhe did not long reſt ſatisfied with the enjoyment of this precarious power, which the fickleneſs of the regent, or the ambition of thoſe who governed him, might ſo eaſily diſturb; and ſhe began to ſet on foot new intrigues, with a deſign of undermining him, and of opening to herſelf a way to ſucceed him in that high dignity. Her brothers entered warmly into this ſcheme, and ſupported it with all their credit at the court of France. The French king willingly concurred in a meaſure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force upon that kingdom.

IN order to arrive at the deſired elevation, the queen dowager had only one of two ways to chuſe; either violently to wreſt the power out of the hands of the regent, or to obtain it by his conſent. Under a minority, and among a warlike and factious people, the former was a very uncertain and dangerous experiment. The latter appeared to be no leſs impracticable. To perſuade a man voluntarily to abdicate the ſupreme power; to deſcend to a level with thoſe, above whom he was raiſed; and to be content with the ſecond place where he hath held the firſt, may well paſs for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was ſufficiently juſtified by its ſucceſs.

THE regent's inconſtancy and irreſolution, together with the calamities which had befallen the kingdom under his adminiſtration, raiſed the prejudices both of the nobles and of the people againſt him, to a great height; and the queen ſecretly fomented theſe with much induſtry. All who wiſhed for a change met with a gracious reception in her court, and their ſpirit of diſaffection was nouriſhed by ſuch hopes and promiſes, as in every age impoſe on the credulity of the factious.

BOOK II.

factious. The favourers of the Reformation being the moſt numerous and ſpreading body of the regent's enemies, ſhe applied to them with a particular attention; and the gentleneſs of her diſpoſition, and ſeeming indifference to the religious points in diſpute, made all her promiſes of protection and indulgence paſs upon them for ſincere. Finding ſo great a part of the nation willing to fall in with her meaſures, the queen ſet out for France, under pretence of viſiting her daughter, and took along with her thoſe noblemen who poſſeſſed the greateſt power and credit among their countrymen. Softened by the pleaſures of an elegant court, flattered by the civilities of the French king and the careſſes of the houſe of Guiſe, and influenced by the ſeaſonable diſtribution of a few favours, and the liberal promiſe of many more, they were brought to approve of all the queen's pretenſions.

Courts the reformers.

OCT. 1550.

WHILE ſhe advanced by theſe ſlow but ſure ſteps, the regent either did not foreſee the danger which threatened him, or neglected to provide againſt it. The firſt diſcovery of the train which was laid, came from two of his own confidents, Carnegie of Kinnaird, and Panter biſhop of Roſs, whom the queen had gained over to her intereſt, and then employed as the moſt proper inſtruments for obtaining his conſent. The overture was made to him in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidity, and ſweetened by every promiſe that could reconcile him to a propoſal ſo diſagreeable. On the one hand, the confirmation of his French title, together with a conſiderable penſion, the parliamentary acknowledgment of his right of ſucceſſion to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the diſpleaſure of the French king, the power and popularity of the queen dowager, the diſaffection of the nobles, with the danger of an after-reckoning, were repreſented in the ſtrongeſt colours.

IT was not poſſible to agree to a propoſal ſo extraordinary and unexpected, without ſome previous ſtruggle; and had the archbiſhop of St. Andrew's been preſent to fortify the irreſolute and paſſive ſpirit of the regent, he, in all probability, would have rejected it with diſdain. Happily for the queen, the ſagacity and ambition of that prelate could, at this time, be no obſtruction to her views. He was lying at the point of death, and in his abſence the influence of the queen's agents on a flexible temper counterbalanced ſeveral of the ſtrongeſt paſſions in the human mind, and obtained his conſent to a voluntary ſurrender of the ſupreme power.

BOOK II.

Dec. 1551.

AFTER gaining a point of such difficulty with so much ease, the queen returned into Scotland, in full expectation of taking immediate possession of her new dignity. But by this time the archbishop of St. Andrew's had recovered of that distemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the assistance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his cotemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop, it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher, which enabled him to cure his disease[r].

TOGETHER with his health, the archbishop recovered the entire government of the regent, and quickly persuaded him to recal that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were, at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with all parties; with the protestants, whom she favoured and courted more than ever; with the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom, she employed every argument. But whatever impressions her emissaries might have made on the regent, it was no easy matter to over-reach or to intimidate the archbishop. Under his management, the negotiations were spun out to a great length, and his brother maintained his station with that address and firmness, which its importance so well merited. The universal defection of the nobility, the growing power of the protestants, who all adhered to the queen dowager, the reiterated solicitations of the French king, and, above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent[s], obliged him at last to resign that high office, which

Prevails on the regent to resign his office.

[r] Cardan himself was more desirous of being considered as an astrologer than a philosopher; in his book *De Genituris*, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of 1800 crowns; a great sum in that age. *De vita sua*, p. 32.

[s] Lesley, de Reb. Gest. Scot. ap Jebb. 1. 287.

be

he had held many years. He obtained, however, the ſame advantageous terms for himſelf, which had been formerly ſtipulated.

She obtains the regency.

IT was in the parliament which met on the tenth of April one thouſand five hundred and fifty-four, that the earl of Arran executed this extraordinary reſignation; and at the ſame time Mary of Guiſe was raiſed to that dignity, which had been ſo long the object of her wiſhes. Thus, with their own approbation, a woman and a ſtranger was advanced to the ſupreme authority, over a fierce and turbulent people, who ſeldom ſubmitted, without reluctance, to the legal and ancient government of their native monarchs.

Reformation continues to make great progreſs. July 6, 1553.

WHILE the queen dowager of Scotland contributed ſo much towards the progreſs of the Reformation, by the protection which ſhe afforded it, from motives of ambition; the Engliſh queen, by her indiſcreet zeal, filled the kingdom with perſons active in promoting the ſame cauſe. Mary aſcended the throne of England on the death of her brother Edward, and ſoon after married Philip II. of Spain. To the perſecuting ſpirit of the Romiſh ſuperſtition, and the fierceneſs of that age, ſhe added the private reſentment of her own and of her mother's ſufferings, with which ſhe loaded the reformed religion; and the peeviſhneſs and ſeverity of her natural temper carried the acrimony of all theſe paſſions to the utmoſt extreme. The cruelty of her perſecution equalled the deeds of thoſe tyrants who have been the greateſt reproach to human nature. The bigotry of her clergy could ſcarce keep pace with the impetuoſity of her zeal. Even the unrelenting Philip was obliged, on ſome occaſions, to mitigate the rigour of her proceedings. Many among the moſt eminent reformers ſuffered for the doctrines which they had taught; others fled from the ſtorm. To the greater part of theſe, Switzerland and Germany opened a ſecure aſylum; and not a few, out of choice or neceſſity, fled into Scotland. What they had ſeen and felt in England, did not abate the warmth and zeal of their indignation againſt popery. Their attacks were bolder and more ſucceſsful than ever; and their doctrines made a rapid progreſs among all ranks of men.

A view of the political cauſes

THESE doctrines, calculated to rectify the opinions, and to reform the manners, of mankind, had hitherto produced no other effects; but they ſoon began to operate with greater violence, and proved the occaſion, not only of ſubverting the eſtabliſhed religion, but of ſhaking the throne and endangering the kingdom. The cauſes which facilitated the introduction of theſe new opinions into Scotland, and which diſſemi-

BOOK II.

which contributed towards that.

diſſeminated them ſo faſt through the nation, merit, on that account, a particular and careful inquiry. The Reformation is one of the greateſt events in the hiſtory of mankind, and, in whatever point of light we view it, is inſtructive and intereſting.

THE revival of learning in the fifteenth and ſixteenth centuries rouſed the world from that lethargy in which it had been ſunk for many ages. The human mind felt its own ſtrength, broke the fetters of authority by which it had been ſo long reſtrained, and venturing to move in a larger ſphere, puſhed its inquiries into every ſubject with great boldneſs and ſurpriſing ſucceſs.

No ſooner did mankind recover the capacity of exerciſing their reaſon, than religion was one of the firſt objects which drew their attention. Long before Luther publiſhed his famous Theſes which ſhook the papal throne, ſcience and philoſophy had laid open, to many of the Italians, the impoſture and abſurdity of the eſtabliſhed ſuperſtition. That ſubtle and refined people, ſatisfied with enjoying thoſe diſcoveries in ſecret, were little diſpoſed to aſſume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wiſe, while vulgar minds muſt be overawed and governed by popular errors. But, animated with a more noble and diſintereſted zeal, the German theologian boldly erected the ſtandard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all ſucceeding ages.

THE occaſion of Luther's being firſt diſguſted with the tenets of the Romiſh church, and how, from a ſmall rupture, the quarrel widened into an irreparable breach, is known to every one who has been the leaſt converſant in hiſtory. From the heart of Germany his opinions ſpread, with aſtoniſhing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-founded ſyſtem. The vigilance and addreſs of the court of Rome, co-operating with the power and bigotry of the Auſtrian family, ſuppreſſed theſe notions on their firſt appearance, in the ſouthern kingdoms of Europe. But the fierce ſpirit of the north, irritated by multiplied impoſitions, could neither be mollified by the ſame arts, nor ſubdued by the ſame force; and encouraged by ſome princes from piety, and by others out of avarice, it eaſily bore down the feeble oppoſition of an illiterate and immoral clergy.

THE ſuperſtition of popery ſeems to have grown to the moſt extravagant height in thoſe countries which are ſituated towards the different extremities of Europe. The vigour of imagi-

imagination, and ſenſibility of frame, peculiar to the inhabitants of ſouthern climates, rendered them ſuſceptible of the deepeſt impreſſions of ſuperſtitious terror and credulity. Ignorance and barbarity were no leſs favourable to the progreſs of the ſame ſpirit among the northern nations. They knew little, and were diſpoſed to believe every thing. The moſt glaring abſurdities did not ſhock their groſs underſtandings, and the moſt improbable fictions were received with implicit aſſent and admiration.

ACCORDINGLY, that form of popery which prevailed in Scotland was of the moſt bigotted and illiberal kind. Thoſe doctrines which are moſt apt to ſhock the human underſtanding, and thoſe legends which fartheſt exceed belief, were propoſed to the people without any attempt to palliate or diſguiſe them; nor did they ever call in queſtion the reaſonableneſs of the one, or the truth of the other.

THE power and wealth of the church kept pace with the progreſs of ſuperſtition; for it is the nature of that ſpirit to obſerve no bounds in its reſpect and liberality towards thoſe whoſe character it eſteems ſacred. The Scottiſh kings early demonſtrated how much they were under its influence, by their vaſt additions to the immunities and riches of the clergy. The profuſe piety of David I. who acquired on that account the name of Saint, transferred almoſt the whole crown lands, which were at that time of great extent, into the hands of eccleſiaſtics. The example of that virtuous prince was imitated by his ſucceſſors. The ſpirit ſpread among all orders of men, who daily loaded the prieſthood with new poſſeſſions. The riches of the church all over Europe were exorbitant; but Scotland was one of thoſe countries, wherein they had fartheſt exceeded the juſt proportion. The Scottiſh clergy paid one half of every tax impoſed on land; and as there is no reaſon to think that in that age they would be loaded with any unequal ſhare of the burden, we may conclude that, by the time of the Reformation, little leſs than one half of the property in the nation had fallen into the hands of a ſociety, which is always acquiring, and can never loſe.

THE nature, too, of a conſiderable part of their property extended the influence of the clergy. Many eſtates, throughout the kingdom, held of the church; church-lands were let in leaſe at an eaſy rent, and were poſſeſſed by the younger ſons and deſcendants of the beſt families[t]. The connection between *ſuperior* and *vaſſal*, between landlord and tenant,

[t] Keith, 521. Not. (b).

BOOK II. created dependences, and gave rise to an union of great advantage to the church; and in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

THIS extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. It appears from the ancient rolls of parliament, and from the manner of chusing the lords of articles, that the proceedings of that high court must have been, in a great measure, under their direction [u].

THE reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popish clergy are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a superior species; they were neither subject to the same laws, nor tried by the same judges [x]. Every guard that religion could supply, was placed around their power, their possessions and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

THE reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown; in place of these were substituted studies barbarous and uninstructive; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very slender portion of knowledge drew the admiration of rude ages, which knew little. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment

[u] Spotf. Hift. of the Church of Scotland, 449.

[x] How far this claim of the clergy to exemption from lay-jurisdiction extended, appears from a remarkable transaction in the parliament held in 1546. When that court was proceeding to the forfeiture of the murderers of cardinal Beatoun, and were about to include a prieft, who was one of the aſſaſſins, in the general ſentence of condemnation, odious as the crime was to eccleſiaſtics, a delegate appeared in their name, and *repledged* or claimed exemption of him from the judgment of parliament, *as a ſpiritual man*. This claim was ſuſtained; and his name is not inſerted in the act of forfeiture. Epiſt. Reg. Scot. ii. 350. 361.

foreign

foreign from military affairs, or which required rather penetration and addreſs, than bodily vigour. Wherever the former were neceſſary, the clergy were entruſted; becauſe they alone were properly qualified for the truſt. Almoſt all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the firſt ſubject in the kingdom, both in dignity and in power. From the earlieſt ages of the monarchy, to the death of cardinal Beatoun, fifty-four perſons had held that high office; and of theſe, forty-three had been eccleſiaſtics[y]. The lords of ſeſſion were ſupreme judges in all matters of civil right; and by its original conſtitution, the preſident and one half of the ſenators in this court were churchmen. BOOK II.

To all this we may add, that the clergy being ſeparated from the reſt of mankind by the law of celibacy, and undiſtracted by thoſe cares, and unincumbered with thoſe burdens, which occupy and oppreſs other men, the intereſt of their order became their only object, and they were at full leiſure to purſue it.

The nature of their function gave them acceſs to all perſons and at all ſeaſons. They could employ all the motives of fear and of hope, of terror and of conſolation, which operate moſt powerfully on the human mind. They haunted the weak and the credulous; they beſieged the beds of the ſick and of the dying; they ſuffered few to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their ſins, by beſtowing riches upon thoſe who called themſelves his ſervants.

When their own induſtry, or the ſuperſtition of mankind, failed of producing this effect, the eccleſiaſtics had influence enough to call in the aid of law. When a perſon died *inteſtate*, the diſpoſal of his effects was veſted in the biſhop of the dioceſe, after paying his funeral charges and debts, and diſtributing among his kindred the ſums to which they were reſpectively entitled; it being preſumed that no Chriſtian would have choſen to leave the world without deſtining ſome part of his ſubſtance to pious uſes[z]. As men are apt to truſt to the continuance of life with a fond confidence, and childiſhly ſhun every thing that forces them to think of their mortality, many die without ſettling their affairs by will; and the right of adminiſtration in that event, acquired by the clergy, muſt have proved a conſiderable ſource both of wealth and of power to the church.

y Crawf. Offic. of State. z Eſſays on Brit. Antiq. 174. Annals of Scotland, by Sir David Dalrymple, Vol. i. Append. No. ii.

BOOK II.

At the same time, no matrimonial or testamentary cause could be tried but in the spiritual courts, and by laws which the clergy themselves had framed. The penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes: and besides excluding those, upon whom it fell, from Christian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began, by degrees, to feel and to murmur at their encroachments. No wonder haughty and martial barons should view the power and possessions of the church with envy; and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy, gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of morals among many of the clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissolution of manners prevailed among the Scottish clergy[a]. Cardinal Beaton, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawford's son[b]; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate[c]. Men

[a] Winzet. ap. Keith, Appeal. 202. 205. Lesl. de Reb. Gest. Scot. 232.

[b] The marriage articles, subscribed with his own hand, in which he calls her *my daughter*, are still extant. Keith, p. 42.

[c] A remarkable proof of the dissolute manners of the clergy is found in the public

MEN of ſuch characters ought, in reaſon, to have been alarmed at the firſt clamours raiſed againſt their own morals, and the doctrines of the church, by the proteſtant preachers; but the popiſh eccleſiaſtics, either out of pride or ignorance, neglected the proper methods for ſilencing them. Inſtead of reforming their lives, or diſguiſing their vices, they affected to deſpiſe the cenſures of the people. While the reformers, by their mortifications and auſterities, endeavoured to reſemble the firſt propagators of Chriſtianity, the popiſh clergy were compared to all thoſe perſons who are moſt infamous in hiſtory for the enormity and ſcandal of their crimes.

ON the other hand, inſtead of mitigating the rigour, or colouring over the abſurdity of the eſtabliſhed doctrines; inſtead of attempting to found them upon ſcripture, or to reconcile them to reaſon; they left them without any other ſupport or recommendation, than the authority of the church and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of the ſaints, were the topics on which they inſiſted in their diſcourſes to the people; and the duty of preaching being left wholly to monks of the loweſt and moſt illiterate orders, their compoſitions were ſtill more wretched and contemptible, than the ſubjects on which they inſiſted. While the reformers were attended by crowded and admiring audiences, the popiſh preachers were either univerſally deſerted, or liſtened to with ſcorn.

THE only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unſucceſsful. As many doctrines of their church had derived their credit at firſt from the authority of falſe miracles, they now endeavoured to call in theſe to their aid[d]. But thoſe lying wonders, which were beheld with unſuſpicious admiration, or heard with implicit faith, in times of darkneſs and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected theſe impoſtures, and expoſed not only them, but the cauſe which needed the aid of ſuch artifices, to ridicule.

public records. A greater number of letters of *legitimation* was granted during the firſt thirty years after the Reformation, than during the whole period that has elapſed ſince that time. Theſe were obtained by the ſons of the popiſh clergy. The eccleſiaſtics, who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were deſirous that the ſtain of illegitimacy might no longer remain upon their families. In *Keith's Catalogue of the Scottiſh Biſhops*, we find ſeveral inſtances of ſuch alienations of church lands, by the popiſh incumbents, to their natural children.

[d] Spotſwood, 69.

As

BOOK II.

As the popiſh eccleſiaſtics became more and more the objects of hatred and of contempt, the diſcourſes of the reformers were liſtened to as ſo many calls to liberty; and beſides the pious indignation which they excited againſt thoſe corrupt doctrines which had perverted the nature of true Chriſtianity; beſides the zeal which they inſpired for the knowledge of truth and the purity of religion; they gave riſe alſo, among the Scottiſh nobles, to other views and paſſions. They hoped to ſhake off the yoke of eccleſiaſtical dominion, which they had long felt to be oppreſſive, and which they now diſcovered to be unchriſtian. They expected to recover poſſeſſion of the church revenues, which they were now taught to conſider as alienations made by their anceſtors, with a profuſion no leſs undiſcerning than unbounded. They flattered themſelves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themſelves within the ſphere peculiar to their ſacred character. An averſion for the eſtabliſhed church, which flowed from ſo many concurring cauſes, which was raiſed by conſiderations of religion, and heightened by motives of policy, ſpread faſt through the nation; and excited a ſpirit, that burſt out, at laſt, with irreſiſtible violence.

RELIGIOUS conſiderations alone were ſufficient to have rouſed this ſpirit. The points in controverſy with the church of Rome were of ſo much importance to the happineſs of mankind, and ſo eſſential to Chriſtianity, that they merited all the zeal with which the reformers contended in order to eſtabliſh them. But the reformation having been repreſented as the effect of ſome wild and enthuſiaſtic frenzy in the human mind, this attempt to account for the eagerneſs and zeal with which our anceſtors embraced and propagated the proteſtant doctrines, by taking a view of the political motives alone which influenced them, and by ſhewing how naturally theſe prompted them to act with ſo much ardour, will not, perhaps, be deemed an unneceſſary digreſſion. We now return to the courſe of the hiſtory.

1554. THE queen's elevation to the office of regent ſeems to have tranſported her, at firſt, beyond the known prudence and moderation of her character. She began her adminiſtration, by conferring upon foreigners ſeveral offices of truſt and of dignity; a ſtep which, both from the inability of ſtrangers to diſcharge theſe offices with vigour, and from the envy which their preferment excites among the natives, is never attended with good conſequences. Vilmort was made comptroller, and entruſted with the management of the public revenues;

The queen regent begins her adminiſtration with ſome unpopular meaſure.

Bonot

Bonot was appointed governor of Orkney; and Rubay honoured with the cuſtody of the great ſeal, and the title of vice chancellor[e]. It was with the higheſt indignation, that the Scots beheld offices of the greateſt eminence and authority dealt out among ſtrangers[f]. By theſe promotions they conceived the queen to have offered an inſult both to their underſtandings and to their courage; to the former, by ſuppoſing them unfit for thoſe ſtations which their anceſtors had filled with ſo much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this diſpoſition, an incident happened which inflamed their averſion from French councils to the higheſt degree. Ever ſince the famous conteſt between the houſes of Valois and Plantagenet, the French had been accuſtomed to embarraſs the Engliſh, and to divide their ſtrength by the ſudden and formidable incurſions of their allies, the Scots. But, as theſe inroads were ſeldom attended with any real advantage to Scotland, and expoſed it to the dangerous reſentment of a powerful neighbour, the Scots began to grow leſs tractable than formerly, and ſcrupled any longer to ſerve an ambitious ally at the price of their own quiet and ſecurity. The change, too, which was daily introducing in the art of war, rendered the aſſiſtance of the Scottiſh forces of leſs importance to the French monarch. For theſe reaſons, Henry having reſolved upon a war with Philip II. and foreſeeing that the queen of England would take part in her huſband's quarrel, was extremely ſolicitous to ſecure in Scotland the aſſiſtance of ſome troops, which would be more at his command than an undiſciplined army, led by chieftains who were almoſt independent. In proſecution of this deſign, but under pretence of relieving the nobles from the expence and danger of defending the borders, the queen regent propoſed, in parliament, to regiſter the 1555.
value of lands throughout the kingdom, to impoſe on them a ſmall tax, and to apply that revenue towards maintaining a body of regular troops in conſtant pay. A fixed tax upon land, which the growing expence of government hath introduced into almoſt every part of Europe, was unknown at that time, and ſeemed altogether inconſiſtent with the genius of feudal government. Nothing could be more

[e] Leſly de Reb. Geſt. Scot. 189.

[f] The reſentment of the nation againſt the French roſe to ſuch a height, that an act of parliament was paſſed on purpoſe to reſtrain or moderate it. Parl. 6. Q. Mary, c. 60.

ſhocking

BOOK II. 1555.

ſhocking to a generous and brave nobility, than the entruſting to mercenary hands, the defence of thoſe territories which had been acquired, or preſerved, by the blood of their anceſtors. They received this propoſal with the utmoſt diſſatisfaction. About three hundred of the leſſer barons repaired in a body to the queen regent, and repreſented their ſenſe of the intended innovation, with that manly and determined boldneſs which is natural to a free people in a martial age. Alarmed at a remonſtrance delivered in ſo firm a tone, and ſupported by ſuch formidable numbers, the queen prudently abandoned a ſcheme, which ſhe found to be univerſally odious. As the queen herſelf was known perfectly to underſtand the circumſtances and temper of the nation, this meaſure was imputed wholly to the ſuggeſtions of her foreign counſellors; and the Scots were ready to proceed to the moſt violent extremities againſt them.

Attempts to engage the kingdom in a war with England.

THE French, inſtead of extinguiſhing, added fuel to the flame. They had now commenced hoſtilities againſt Spain, and Philip had prevailed on the queen of England to reinforce his army with a conſiderable body of her troops. In order to deprive him of this aid, Henry had recourſe, as he projected, to the Scots; and attempted to excite them to invade England. But, as Scotland had nothing to dread from a princeſs of Mary's character, who, far from any ambitious ſcheme of diſturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical ſubjects; the nobles, who were aſſembled by the queen regent at Newbattle, liſtened to the ſolicitations of the French monarch with extreme coldneſs, and prudently declined engaging the kingdom in an enterpriſe ſo dangerous and unneceſſary. What ſhe could not obtain by perſuaſion, the queen regent brought about by a ſtratagem. Notwithſtanding the peace which ſubſiſted between the two kingdoms, ſhe commanded her French ſoldiers to rebuild a ſmall fort near Berwick, which was appointed, by the laſt treaty, to be raſed. The garriſon of Berwick ſallied out; interrupted the work; and ravaged the adjacent country. This inſult rouſed the fiery ſpirit of the Scots, and their promptneſs to revenge the leaſt appearance of national injury, diſſipated, in a moment, the wiſe and pacific reſolutions which they had ſo lately formed. War was determined, and orders inſtantly given for raiſing a numerous army. But before their forces could aſſemble, the ardour of their indignation had time to cool, and the Engliſh having diſcovered no intention to puſh the war with vigour, the nobles reſumed their pacific ſyſtem, and reſolved to

ſtand

ſtand altogether upon the defenſive. They marched to the banks of the Tweed, they prevented the incurſions of the enemy; and having done what they thought ſufficient for the ſafety and honour of their country, the queen could not induce them, either by her entreaties or her artifices, to advance another ſtep.

While the Scots perſiſted in their inactivity, D'Oyſel, the commander of the French troops, who poſſeſſed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hoſtilities. Contrary to the orders of the Scottiſh general, he marched over the Tweed with his own ſoldiers, and inveſted Werk, a garriſon of the Engliſh. The Scots, inſtead of ſeconding his attempt, were enraged at his preſumption. The queen's partiality towards France had long been ſuſpected; but it was now viſible that ſhe wantonly ſacrificed the peace and ſafety of Scotland, to the intereſt of that ambitious and aſſuming ally. Under the feudal governments, it was in camps that ſubjects were accuſtomed to addreſs the boldeſt remonſtrances to their ſovereigns. While arms were in their hands, they felt their own ſtrength; and at that time all their repreſentations of grievances carried the authority of commands. On this occaſion, the reſentment of the nobles broke out with ſuch violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly diſmiſſed her army, and retired with the utmoſt ſhame and diſguſt; having diſcovered the impotence of her own authority, without effecting any thing which could be of advantage to France.[s]

It is obſervable, that this firſt inſtance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretenſions to the regency had been principally ſupported by thoſe who favoured the Reformation, and as ſhe ſtill needed them for a counterpoiſe to the archbiſhop of St. Andrew's, and the partiſans of the houſe of Hamilton; ſhe continued to treat them with great reſpect, and admitted them to no inconſiderable ſhare in her favour and confidence. Kirkaldy of Grange, and the other ſurviving conſpirators againſt cardinal Beatoun, were, about this time, recalled by her from baniſhment; and, through her connivance, the proteſtant preachers enjoyed an interval of tranquillity, which was of great advantage to their cauſe. Soothed by theſe inſtances of the queen's moderation and humanity, the proteſtants left to others the office of remonſtrating; and the leaders of

[s] Strype's Memor. iii. Append. 274. Leſley, 196.

BOOK II.

the oppoſite factions ſet them the firſt example of diſputing the will of their ſovereign.

The queen's marriage with the dauphin.

As the queen regent felt how limited and precarious her authority was, while it depended on the poiſe of theſe contrary factions, ſhe endeavoured to eſtabliſh it on a broader and more ſecure foundation, by haſtening the concluſion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and conſiderable as the territories were, which ſhe would have added to the French monarchy; reaſons were not wanting to diſſuade Henry from completing his firſt plan of marrying her to his ſon. The conſtable Montmorency had employed all his intereſt to defeat an alliance which reflected ſo much luſtre on the princes of Lorrain. He had repreſented the impoſſibility of maintaining order and tranquillity among a turbulent people, during the abſence of their ſovereign; and for that reaſon had adviſed Henry to beſtow the young queen upon one of the princes of the blood, who, by reſiding in Scotland, might preſerve that kingdom an uſeful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province[h]. But at this time the conſtable was a priſoner in the hands of the Spaniards; the princes of Lorrain were at the height of their power; and their influence, ſeconded by the charms of the young queen, triumphed over the prudent, but envious, remonſtrances of their rival.

Dec. 14, 1557.

THE French king accordingly applied to the parliament of Scotland, which appointed eight of its members[i] to repreſent the whole body of the nation, at the marriage of the queen. Among the perſons on whom the public choice conferred this honourable character, were ſome of the moſt avowed and zealous advocates for the Reformation; by which may be eſtimated the degree of reſpect and popularity which that party had now attained in the kingdom. The inſtructions of the parliament to thoſe commiſſioners ſtill remain[k], and do honour to the wiſdom and integrity of that aſſembly. At the ſame time that they manifeſted, with reſpect to the articles of marriage, a laudable concern for the dignity and intereſt of their ſovereign, they employed every precaution which prudence could dictate, for preſerving the liberty and independence of the nation, and for ſecuring the ſucceſſion of the crown in the houſe of Hamilton.

[h] Melv. Mem. 15.

[i] Viz. The archbiſhop of Glaſgow, the biſhop of Roſs, the biſhop of Orkney, the earls of Rothes and Caſſils, lord Fleming, lord Seton, the prior of St. Andrew's, and John Erſkine of Dun.

[k] Keith, Append. 13.

WITH

BOOK II.

WITH regard to each of these, the Scots obtained whatever satisfaction their fear or jealousy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed them by deeds in form under their hands and seals. But on the part of France, all this was one continued scene of studied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which, failing the heirs of her own body, she conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promises to the contrary, which the necessity of her affairs, and the solicitations of her subjects, had extorted, or might extort from her, to be void and of no obligation [l]. As it gives us a proper idea of the character of the French court under Henry II. we may observe that the king himself, the keeper of the great seals, the duke of Guise, and the cardinal of Lorrain, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to the will of her uncles, must vindicate her, in the judgment of every impartial person, from any imputation of blame on that account.

Artifices of the French in the marriage treaty.

THIS grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head [m].

THE marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of King of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some

April 14, 1558.

[l] Corps Diplomat. tom. v. 21. Keith, 73.

[m] About this time the French seem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215. 219. Forbes's Collect. vol. i. 189.

BOOK II.

ſolid privileges and power. They inſiſted that the dauphin's title ſhould be publicly recogniſed; that the *Crown Matrimonial* ſhould be conferred upon him; and that all the rights pertaining to the huſband of a queen ſhould be veſted in his perſon. By the laws of Scotland, a perſon who married an heireſs kept poſſeſſion of her eſtate during his own life, if he happened to ſurvive her and the children born of the marriage [n]. This was called the *courteſy of Scotland*. The French aimed at applying this rule, which takes place in private inheritances, to the ſucceſſion of the kingdom; and that ſeems to be implied in their demand of the *Crown Matrimonial*, a phraſe peculiar to the Scottiſh hiſtorians, and which they have neglected to explain [o]. As the French had reaſon to expect difficulties in carrying through this meaſure, they began with ſounding the deputies who were then at Paris. The Engliſh in the marriage-articles between their queen and Philip of Spain, had ſet an example to the age, of that prudent jealouſy and reſerve with which a foreigner ſhould be admitted ſo near the throne. Full of the ſame ideas, the Scottiſh deputies had, in their oath of allegiance to the dauphin, expreſſed themſelves with remarkable caution [p]. Their anſwer was in the ſame ſpirit, reſpectful, but firm; and diſcovered a fixed reſolution of conſenting to nothing that tended to introduce any alteration in the order of ſucceſſion to the crown.

FOUR of the deputies [q] happening to die before they returned into Scotland, this accident was univerſally imputed to the effects of poiſon, which was ſuppoſed to have been given them by the emiſſaries of the houſe of Guiſe. The hiſtorians of all nations diſcover an amazing credulity with reſpect to rumours of this kind, which are ſo well calculated to pleaſe the malignity of ſome men, and to gratify the love of the marvellous which is natural to all, that in every age

[n] Reg. Maj. lib. ii. 58.

[o] As far as I can judge, the huſband of the queen, by the grant of the *Crown Matrimonial*, acquired a right to aſſume the title of king, to have his name ſtamped upon the current coin, and to ſign all public inſtruments together with the queen. In conſequence of this, the ſubjects took an oath of fidelity to him. Keith, Append. 20. His authority became, in ſome meaſure, co-ordinate with that of the queen; and without his concurrence, manifeſted by ſigning his name, no public deed ſeems to have been conſidered as valid. By the oath of fidelity of the Scottiſh commiſſioners to the dauphin, it is evident that, in their opinion, the rights belonging to the *Crown Matrimonial* ſubſiſted only during the continuance of the marriage. Keith, Append. 20. But the conſpirators againſt Rizio bound themſelves to procure a grant of the *Crown Matrimonial* to Darnley during all the days of his life. Keith, Append. 120. Good. i. 227.

[p] Keith, Append. 20.

[q] The biſhop of Orkney, the earl of Rothes, the earl of Caſſils, and lord Fleming.

they

they have been ſwallowed without examination, and believed contrary to reaſon. No wonder the Scots ſhould eaſily give credit to a ſuſpicion, which received ſuch ſtrong colours of probability, both from their own reſentment, and from the known character of the princes of Lorrain, ſo little ſcrupulous about the juſtice of the ends which they purſued, or of the means which they employed. For the honour of human nature it muſt, however, be obſerved, that as we can diſcover no motive which could induce any man to perpetrate ſuch a crime, ſo there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animoſities and prejudices, were incapable of examining the circumſtances of the caſe with calmneſs, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this deteſtable action; and it is obvious how much this tended to increaſe the averſion for them, which was growing among all ranks of men.

The regent prevails on the parliament to grant it. Nov. 29.

NOTWITHSTANDING the cold reception which their propoſal concerning the *Crown Matrimonial* met with from the Scottiſh deputies, the French ventured to move it in parliament. The partiſans of the houſe of Hamilton, ſuſpicious of their deſigns upon the ſucceſſion, oppoſed it with great zeal. But a party, which the feeble and unſteady conduct of their leader had brought under much diſreputation, was little able to withſtand the influence of France, and the addreſs of the queen regent, ſeconded, on this occaſion, by all the numerous adherents of the Reformation. Beſides, that artful princeſs dreſſed out the French demands in a leſs offenſive garb, and threw in ſo many limitations, as ſeemed to render them of ſmall conſequence. Theſe either deceived the Scots, or removed their ſcruples; and in compliance to the queen, they paſſed an act, conferring the *Crown Matrimonial* on the dauphin; and with the fondeſt credulity, truſted to the frail ſecurity of words and ſtatutes, againſt the dangerous encroachments of power[r].

Continues to court the proteſtants.

THE concurrence of the proteſtants with the queen regent, in promoting a meaſure ſo acceptable to France, while the popiſh clergy, under the influence of the archbiſhop of St. Andrew's, oppoſed it with ſo much violence[s], is one of thoſe

[r] The act of parliament is worded with the utmoſt care, with a view to guard againſt any breach of the order of ſucceſſion. But the duke, not relying on this alone, entered a ſolemn proteſtation to ſecure his own right. Keith, 76. It is plain, that he ſuſpected the French of having ſome intention to ſet aſide his right of ſucceſſion; and indeed, if they had no deſign of that kind, the eagerneſs with which they urged their demand, was childiſh.

[s] Melv. 47.

BOOK II.

ſingular circumſtances in the conduct of parties, for which this period is ſo remarkable. It may be aſcribed, in ſome degree, to the dexterous management of the queen, but chiefly to the moderation of thoſe who favoured the Reformation. The proteſtants were by this time almoſt equal to the catholics, both in power and in number; and, conſcious of their own ſtrength, they ſubmitted with impatience to that tyrannical authority with which the ancient laws armed the eccleſiaſtics againſt them. They longed to be exempted from this oppreſſive juriſdiction, and publicly to enjoy the liberty of profeſſing thoſe opinions, and of exerciſing that worſhip, which ſo great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of prieſtly authority was oppoſed, there were only two ways of obtaining. Either violence muſt extort it from the reluctant hand of their ſovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redreſs of grievances, to which no nation has recourſe ſuddenly; and ſubjects ſeldom venture upon reſiſtance, which is their laſt remedy, but in caſes of extreme neceſſity. On this occaſion the Reformers wiſely held the oppoſite courſe, and by their zeal in forwarding the queen's deſigns, they hoped to merit her protection. This diſpoſition the queen encouraged to the utmoſt, and amuſed them ſo artfully with many promiſes, and ſome conceſſions, that, by their aſſiſtance, ſhe ſurmounted in parliament the force of a national and laudable jealouſy, which would otherwiſe have ſwayed with the greater number.

ANOTHER circumſtance contributed ſomewhat to acquire the regent ſuch conſiderable influence in this parliament. In Scotland, all the biſhopries, and thoſe abbeys which conferred a title to a ſeat in parliament, were in the gift of the Crown[t]. From the time of her acceſſion to the regency, the queen had kept in her own hands almoſt all thoſe which became vacant, except ſuch as were, to the great diſguſt of the nation, beſtowed upon foreigners. Among theſe, her brother the cardinal of Lorrain had obtained the abbeys of Kelſo and Melroſs, two of the moſt wealthy foundations in the kingdom[u]. By this conduct, ſhe thinned the eccleſiaſtical bench[x], which was entirely under the influence of the archbiſhop of St. Andrew's, and which, by its numbers and authority, uſually had great weight in the houſe, ſo as to ren-

[t] See Book I.

[u] Leſly, 202.

[x] It appears from the rolls of this parliament, which Leſly calls a very full one, that only ſeven biſhops and ſixteen abbots were preſent.

der any oppoſition it could give at that time of little conſequence.

THE earl of Argyll, and James Stewart prior of St. Andrew's, one the moſt powerful, and the other the moſt popular leader of the proteſtants, were appointed to carry the crown and other enſigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more intereſting ſcene, which now begins to open.

Elizabeth ſucceeds to the crown of England.

BEFORE we turn towards this, it is neceſſary to obſerve, that on the ſeventeenth of November, one thouſand five hundred and fifty-eight, Mary of England finiſhed her ſhort and inglorious reign. Her ſiſter Elizabeth took poſſeſſion of the throne without oppoſition; and the proteſtant religion was, once more, eſtabliſhed by law in England. The acceſſion of a queen, who, under very difficult circumſtances, had given ſtrong indications of thoſe eminent qualities, which, in the ſequel, rendered her reign ſo illuſtrious, attracted the eyes of all Europe. Among the Scots, both parties obſerved her firſt motions with the utmoſt ſolicitude, as they eaſily foreſaw that ſhe would not remain long an indifferent ſpectator of their tranſactions.

UNDER many diſcouragements and much oppreſſion, the Reformation advanced towards a full eſtabliſhment in Scotland. All the low country, the moſt populous, and at that time the moſt warlike part of the kingdom, was deeply tinctured with the proteſtant opinions; and if the ſame impreſſions were not made in the more diſtant counties, it was owing to no want of the ſame diſpoſitions among the people, but to the ſcarcity of preachers, whoſe moſt indefatigable zeal could not ſatisfy the avidity of thoſe who deſired their inſtructions. Among a people bred to arms, and as prompt as the Scots to act with violence; and in an age when religious paſſions had taken ſuch ſtrong poſſeſſion of the human mind, and moved and agitated it with ſo much violence, the peaceable and regular demeanor of ſo numerous a party is aſtoniſhing. From the death of Mr. Patrick Hamilton, the firſt who ſuffered in Scotland for the proteſtant religion, thirty years had elapſed, and during ſo long a period no violation of public order or tranquillity had proceeded from that ſect[y]; and though roufed and irritated by the moſt cruel exceſſes of eccleſiaſtical tyranny, they did, in no inſtance, tranſgreſs thoſe bounds of duty which the law preſcribes to ſubjects.

[y] The murder of cardinal Beatoun was occaſioned by private revenge, and being contrived and executed by ſixteen perſons only, cannot with juſtice be imputed to the whole proteſtant party.

BOOK II.

Besides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life cotemporary writers tax with great irregularities [z], governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and whether in spite to the queen, who had entered into so close an union with the protestants, or in compliance with the importunities of his clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest, who had been convicted of embracing the protestant opinions, and summoned several others, suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

NOTHING could equal the horror of the protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and as her success in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unsatisfied with this precarious tenure by which they held their religious liberty, the protestants laboured to render their possession of it more secure and independent. With this view they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection, to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redress, at least some mitigation, of their grievances.

[z] Knox, Buchanan, Keith, 103.

THEY

They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative error, are sacrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to sooth and to reconcile such a numerous body, asserted the doctrines of their church, concerning some of the most exceptionable articles, with an ill-timed rigour, which gave new offence[a].

During the sitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another, and a more remote source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care. 1559.

Ambitious views of the princes of Lorrain.

The ambition of the princes of Lorrain had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Though strangers at the court of France, their eminent qualities had raised them, in a short time, to an height of power, superior to that of all other subjects, and had placed them on a level even with

[a] Keith, 81.

BOOK II. 1559.

the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and they were elevated to a near alliance with it, by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistence which distinguishes his character, he, in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne upon the death of their brother Edward; and, at the same time, passing by the posterity of his eldest sister Margaret queen of Scotland, he appointed the line of succession to continue in the descendants of his younger sister, the duchess of Suffolk.

In consequence of this destination, the validity whereof was admitted by the English, but never recognized by foreigners, Mary had reigned in England without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne, were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the catholic faith, under a protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain. France beheld with concern a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip II. would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, some of which still remain [b]. The

They persuade Mary to assume the title of queen of England.

[b] Anders. Diplom. Scot. No. 68 and 164.

arms

arms of England were engraved on their coin and plate, and borne by them on all occaſions. No preparations, however, were made to ſupport this impolitic and premature claim. Elizabeth was already ſeated on her throne; ſhe poſſeſſed all the intrepidity of ſpirit, and all the arts of policy, which were neceſſary for maintaining that ſtation. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that ſide, therefore, that the princes of Lorrain determined to make their attack[c]; and, by uſing the name and pretenſions of the Scottiſh queen, they hoped to rouſe the Engliſh catholics, formidable at that time by their zeal and numbers, and exaſperated to the utmoſt againſt Elizabeth, on account of the change which ſhe had made in the national religion.

1559.

Reſolve to invade England.

In order to this, neceſſary to check the Reformation in Scotland.

It was vain to expect the aſſiſtance of the Scottiſh proteſtants to dethrone a queen, whom all Europe eſteemed the guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reaſon, a neceſſary ſtep towards the invaſion of England. With this the princes of Lorrain reſolved to open their ſcheme. And as perſecution was the only method for ſuppreſſing religious opinions known in that age, or dictated by the deſpotic and ſanguinary ſpirit of the Romiſh ſuperſtition, this, in its utmoſt violence, they determined to employ. The earl of Argyll, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate deſtruction[d]; and they hoped, by puniſhing them, to intimidate their followers. Inſtructions for this purpoſe were ſent from France to the queen regent. That humane and ſagacious princeſs condemned a meaſure which was equally violent and impolitic. By long reſidence in Scotland, ſhe had become acquainted with the eager and impatient temper of the nation; ſhe well knew the power, the number, and popularity of the proteſtant leaders; and had been a witneſs to the intrepid and unconquerable reſolution which religious fervour could inſpire. What then could be gained by rouſing this dangerous ſpirit, which hitherto all the arts of policy had ſcarcely been able to reſtrain? If it once broke looſe, the authority of a regent would be little capable to ſubdue, or even to moderate, its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the exceſſive power

[c] Forbes, Collect. i. 253. 269. 279. 404. [d] Forbes, i. 152.

BOOK II. 1559.

which the French poſſeſſed in the kingdom, and ſuſpicious of all their deſigns. Amidſt the ſhock which this might occaſion, far from hoping to exterminate the proteſtant doctrine, it would be well if the whole fabric of the eſtabliſhed church were not ſhaken, and perhaps overturned from the foundation. Theſe prudent remonſtrances made no impreſſion on her brothers; precipitant, but inflexible in all their reſolutions, they inſiſted on the full and rigorous execution of their plan. Mary, paſſionately devoted to the intereſt of France, and ready, on all occaſions, to ſacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit ſubmiſſion[a], and, contrary to her own judgment and to all the rules of ſound policy, ſhe became the inſtrument of exciting civil commotions in Scotland, the fatal termination of which ſhe foreſaw and dreaded.

The regent alters her conduct with regard to the proteſtants.

FROM the time of the queen's competition for the regency with the duke of Chatelherault, the popiſh clergy, under the direction of the archbiſhop of St. Andrew's, had ſet themſelves in oppoſition to all her meaſures. Her firſt ſtep toward the execution of her new ſcheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popiſh eccleſiaſtics, ſeparated from the reſt of mankind by the law of celibacy, the boldeſt and moſt ſucceſsful invention of human policy; and combined among themſelves in the cloſeſt and moſt ſacred union; have been accuſtomed, in every age, to ſacrifice all private and particular paſſions to the dignity and intereſt of their order. Delighted on this occaſion with the proſpect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-eſtabliſhing their declining grandeur on a firmer baſis; they, at once, cancelled the memory of paſt injuries, and engaged to ſecond the queen in all her attempts to check the progreſs of the reformation. The queen, being ſecure of their aſſiſtance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and at the ſame time ſhe iſſued a proclamation, enjoining all perſons to obſerve the approaching feſtival of Eaſter according to the Romiſh ritual.

As it was no longer poſſible to miſtake the queen's intentions, the proteſtants, who ſaw the danger approach, in order to avert it, employed the earl of Glencairn, and Sir Hugh Campbell of London, to expoſtulate with her concerning

[a] Melv. 48. Mem. de Caſtelnau, ap. Jebb, vol. ii. 446.

coming this change towards severity, which their former services had so little merited, and which her reiterated promises gave them no reason to expect. She, without disguise or apology, avowed to them her resolution of exturpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honest boldness, she so far forgot her usual moderation, as to utter a sentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal as much as possible. "The promises of princes, says she, ought not to be too carefully remembered, nor the performance of them exacted, unless it suits their own convenience."

Summons their preachers to appear before her.

The indignation which betrayed the queen into this rash expression, was nothing in comparison of that with which she was animated, upon hearing that the public exercise of the reformed religion had been introduced into the town of Perth. At once she threw off the mask, and issued a mandate, summoning all the protestant preachers in the kingdom to a court of justice, which was to be held at Sirling on the tenth of May. The protestants, who, from their union, began about this time to be distinguished by the name of the Congregation, were alarmed, but not intimidated by this danger; and instantly resolved not to abandon the men to whom they were indebted for the most valuable of all blessings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vassalage and clanship, and tolerated afterwards under a feeble government; persons accused of any crime were accompanied to the place of trial by a retinue of their friends and adherents, assembled for that purpose from every quarter of the kingdom. Authorised by this ancient practice, the reformed convened in great numbers, to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed; and in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations.

BOOK II.

1559.

Breaks a promiſe on which they had relied.

But, notwithſtanding this ſolemn promiſe, the queen, on the tenth of May, proceeded to call to trial the perſons who had been ſummoned, and upon their non-appearance the rigour of juſtice took place, and they were pronounced outlaws. By this ignoble artifice, ſo incompatible with regal dignity, and ſo inconſiſtent with that integrity which ſhould prevail in all tranſactions between ſovereigns and their ſubjects, the queen forfeited the eſteem and confidence of the whole nation. The proteſtants, ſhocked no leſs at the indecency with which ſhe violated the public faith, than at the danger which threatened themſelves, prepared boldly for their own defence. Erſkine, enraged at having been made the inſtrument for deceiving his party, inſtantly abandoned Stirling, and repairing to Perth, added to the zeal of his aſſociates, by his repreſentations of the queen's inflexible reſolution to ſuppreſs their religion.

This occaſions an inſurrection at Perth.

The popular rhetoric of Knox powerfully ſeconded his repreſentations: he having been carried a priſoner into France, together with the other perſons taken in the caſtle of St. Andrew's, ſoon made his eſcape out of that country; and reſiding ſometimes in England, ſometimes in Scotland, had at laſt been driven out of both kingdoms by the rage of the popiſh clergy, and was obliged to retire to Geneva. Thence he was called by the leaders of the proteſtants in Scotland; and, in compliance with their ſolicitations, he ſet out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried inſtantly to Perth, to ſhare with his brethren in the common danger, or to aſſiſt them in the common cauſe. While their minds were in that ferment, which the queen's perfidiouſneſs and their own danger occaſioned, he mounted the pulpit, and by a vehement harangue againſt idolatry, inflamed the multitude with the utmoſt rage. The indiſcretion of a prieſt, who, immediately after Knox's ſermon, was preparing to celebrate maſs, and began to decorate the altar for that purpoſe, precipitated them into immediate action. With tumultuary, but irreſiſtible violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monaſteries, they in a few hours laid thoſe ſumptuous fabrics almoſt level with the ground. This riotous inſurrection was not the effect of any concert, or previous deliberation: cenſured by the reformed preachers, and publicly condemned by perſons of moſt power and credit with the party, it muſt be regarded merely as an accidental eruption of popular rage[f].

[f] Knox, Hiſt. 127, 128.

But

BOOK II.

But to the queen dowager these proceedings appeared in a very different light. Besides their manifest contempt for her authority, the protestants had violated every thing in religion which she esteemed venerable or holy; and on both these accounts she determined to inflict the severest vengeance on the whole party. She had already drawn the troops in French pay to Stirling; with these, and what Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of surprising the protestant leaders before they could assemble their followers, whom, out of confidence in her disingenuous promises, they had been rashly induced to dismiss. Intelligence of these preparations and menaces was soon conveyed to Perth. The protestants would gladly have soothed the queen, by addresses both to herself and to the persons of greatest credit in her court; but finding her inexorable, they, with great vigour, took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themselves in so good a cause, flocked in such numbers to Perth, that they not only secured the town from danger, but within a few days were in a condition to take the field, and to face the queen, who advanced with an army seven thousand strong.

1559. The regent marches against them.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men whom the fervour of religion raised above the sense of fear or of danger. The protestants beheld with regret the earl of Argyll, the prior of St. Andrew's, and some other eminent persons of their party, still adhering to the queen; and destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The prospect of an accommodation was for these reasons highly acceptable to both sides: Argyll and the prior, who were the queen's commissioners for conducting the negotiation, seem to have been sincerely desirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the Congregation, augmented the queen's eagerness for peace. A treaty was accordingly concluded, in which it was stipulated that both armies should be disbanded, and the gates of Perth set open to the queen; that indemnity should be granted to the inhabitants of that city, and to all others concerned in the late insurrection; that no French garrison should be left in Perth, and no French soldier should approach within three miles of that place; and that a parliament should immediately be held,

A treaty concluded.

BOOK II.

held, in order to compose whatever differences might still remain [g].

1559. May 29.

The leaders of the Congregation, distrustful of the queen's sincerity, and sensible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new association, by which they bound themselves, on the first infringement of the present treaty, or in the least appearance of danger to their religion, to re-assemble their followers, and to take arms in defence of what they deemed the cause of God and of their country [h].

Broken by the regent.

The queen, by her conduct, demonstrated these precautions to be the result of no groundless or unnecessary fear. No sooner were the protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office, and, on her retiring to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman catholic. The situation of Perth, a place at that time of some strength, and a town among the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alleging that the body of men left at Perth was entirely composed of native Scots, though kept in pay by the king of France.

The queen's scheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed as instruments for subduing the Scots, and wreathing the yoke about their necks. Martial as the genius of the Scots then was, the poverty of their country made it impossible to keep their armies long assembled; and even a very small body of regular troops might have proved formidable to the nation, though consisting wholly of soldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in one thousand five hundred and fifty, we cannot with any certainty determine. Contemporary historians often select with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may con-

[g] Keith, 89. [h] Knox, 138.

jecture

1559.

jecture however, from ſome paſſages in Buchanan, that the French and Scots in French pay, amounted at leaſt to three thouſand men, under the command of Monſieur D'Oyſel, a creature of the houſe of Guiſe; and they were ſoon augmented to a much more formidable number.

THE queen, encouraged by having ſo conſiderable a body of well-diſciplined troops at her command, and inſtigated by the violent counſels of D'Oyſel, had ventured, as we have obſerved, to violate the treaty of Perth, and, by that raſh action, once more threw the nation into the moſt dangerous convulſions. The earl of Argyll and prior of St. Andrew's inſtantly deſerted a court where faith and honour ſeemed to them to be no longer regarded; and joined the leaders of the Congregation, who had retreated to the eaſtern part of Fife. The barons from the neighbouring counties repaired to them, the preachers rouſed the people to arms, and wherever they came, the ſame violent operations which accident had occaſioned at Perth, were now encouraged out of policy. The enraged multitude was let looſe, and churches and monaſteries, the monuments of eccleſiaſtic pride and luxury, were ſacrificed to their zeal.

The proteſtants again take arms.

IN order to check their career, the queen, without loſing a moment, put her troops in motion; but the zeal of the Congregation got the ſtart once more of her vigilance and activity. In that warlike age, when all men were accuſtomed to arms, and on the leaſt proſpect of danger were ready to run to them, the leaders of the proteſtants found no difficulty to raiſe an army. Though they ſet out from St. Andrew's with a ſlender train of an hundred horſe, crowds flocked to their ſtandards from every corner of the country through which they marched; and before they reached Falkland, a village only ten miles diſtant, they were able to meet the queen with ſuperior force[1].

THE queen, ſurpriſed at the approach of ſo formidable a body, which was drawn up by its leaders in ſuch a manner as added greatly in appearance to its numbers, had again recourſe to negotiation. She found, however, that the preſervation of the proteſtant religion, their zeal for which had at firſt rouſed the leaders of the Congregation to take arms, was not the only object they had now in view. They were animated with the warmeſt love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and theſe two paſſions mingling, added reciprocally to each other's ſtrength. Together with more

They aim at redreſſing

[1] KNOX, 141.

enlarged

BOOK II.

1559. civil as well as religious grievances.

enlarged notions in religion, the Reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit submission to all her decrees, which is exacted by the Romish church, prepares and breaks the mind for political servitude; and the doctrines of the Reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errors, accompanied them in other sciences, and discovered every-where the same manly zeal for truth. A new study, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law; and produced such illustrious examples of public virtue, as wonderfully suited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the ancients, with regard to government[k]. The most ardent love of liberty accompanied the protestant religion throughout all its progress; and wherever it was embraced, it roused an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the Reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievances, but, as a preliminary toward settling the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession without the concurrence of the French monarch; and as some time was requisite in order to obtain

[k] The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the *Government of Women*, wherein, conformable to the maxims of the ancient legislators, which modern experience has proved to be ill founded, he pronounces the elevation of women to the supreme authority, to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, *De Jure Regni apud Scotos*. It is founded, not on the maxims of feudal, but of ancient republican government.

that,

that, she hoped, during this interval, to receive such reinforcements from France, as would insure the accomplishment of that design which she had twice attempted with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days, and before the expiration of these, engaged to transport the French troops to the south side of the Forth; and to send commissioners to St. Andrew's, who should labour to bring all differences to an accommodation. As she hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inserted merely to amuse the Congregation, was no longer remembered. BOOK II. 1559. June 13.

By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and no safety appearing in any other course, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. The inhabitants of Perth alone remaining subjected to the insolence and exactions of the garrison which the queen had left there, implored the assistance of the Congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to besiege it in form. The queen employed the earl of Huntly and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated so often, they could deceive no longer; and without listening to her offers, the protestants continued the siege, and soon obliged the garrison to capitulate. A second treaty violated.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the Congregation, having intelligence of her design, prevented the execution of it, by an hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of their town. Thence they advanced, with the same rapidity towards Edinburgh, which the queen, on their approach, abandoned with precipitation and retired to Dunbar. Rapid march and success of the protestants.

The protestant army, wherever it came, kindled or spread the ardour of Reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every decoration, which was then esteemed sacred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal

BOOK II. 1559.

zeal of the reformers, and to regret the overthrow of so many ſtately fabrics, the monuments of our anceſtors magnificence, and among the nobleſt ornaments of the kingdom. But amidſt the violence of a Reformation, carried on in oppoſition to legal authority, ſome irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and intereſt the multitude, or more fatal to the grandeur of the eſtabliſhed church. How abſurd ſoever and ill-founded the ſpeculative errors of popery may be, ſome enquiry and attention are requiſite towards diſcovering them. The abuſes and corruptions which had crept into the public worſhip of that church, lay more open to obſervation, and by ſtriking the ſenſes, excited more univerſal diſguſt. Under the long reign of heatheniſm, ſuperſtition ſeems to have exhauſted its talent of invention, ſo that when a ſuperſtitious ſpirit ſeized Chriſtians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and ſimple worſhip of the primitive Chriſtians, there ſucceeded a ſpecies of ſplendid idolatry, nearly reſembling thoſe pagan originals whence it had been copied. The contrariety of ſuch obſervances to the ſpirit of Chriſtianity, was almoſt the firſt thing, in the Romiſh ſyſtem, which awakened the indignation of the reformers, who, applying to theſe the denunciations in the Old Teſtament againſt idolatry, imagined that they could not endeavour at ſuppreſſing them with too much zeal. No taſk could be more acceptable to the multitude, than to overturn thoſe ſeats of ſuperſtition; they ran with emulation to perform it, and happy was the man whoſe hand was moſt adventurous and ſucceſsful in executing a work deemed ſo pious. Nor did their leaders labour to reſtrain this impetuous ſpirit of reformation. Irregular and violent as its ſallies were, they tended directly to that end which they had in view; for, by demoliſhing the monaſteries throughout the kingdom, and ſetting at liberty their wretched inhabitants, they hoped to render it impoſſible ever to rebuild the one, or to re-aſſemble the other.

But amidſt theſe irregular proceedings, a circumſtance which does honour to the conduct and humanity of the leaders of the Congregation deſerves notice. They ſo far reſtrained the rage of their followers, and were able ſo to temper their heat and zeal, that few of the Roman catholics were expoſed to any perſonal inſult, and not a ſingle man ſuffered death[1].

[1] Leſly, ap. Jebb, vol. i. 232.

At

BOOK II. 1559.

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran towards the Reformation. No more than three hundred men marched out of Perth under the earl of Argyll and prior of St. Andrew's [m]; with this inconsiderable force they advanced. But wherever they came, the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without striking a single blow, they took possession of the capital of the kingdom. June 29.

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demands. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason they determined to fix their residence at Edinburgh; and by their appointment Knox, and some other preachers, taking possession of the pulpits, which had been abandoned by the affrighted clergy, declaimed against the errors of popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now began to subside. The leaders of the Congregation had been above two months in arms, and by the expences of a campaign protracted so long beyond the usual time of service in that age, had exhausted all the money which a country, where riches did not abound, had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar. The queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she by studied delays spun out the negotiations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number; and, as if peace had been already re-established, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly, by a sudden march in

[m] Keith, 94.

BOOK II. 1559.

the night with all her forces, and appearing before Edinburgh, filled that city with the utmoſt conſternation. The proteſtants, weakened by the imprudent diſperſion of their followers, durſt not encounter the French troops in the open field; and were even unable to defend an ill-fortified town againſt their aſſaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own aſſociates. But the queen, in ſpite of all their reſiſtance, would have eaſily forced her way into the town, if the ſeaſonable concluſion of a truce had not procured her admiſſion without the effuſion of blood.

A third treaty.

Their dangerous ſituation eaſily induced the leaders of the Congregation to liſten to any overtures of peace; and as the queen was looking daily for the arrival of a ſtrong reinforcement from France, and expected great advantages from a ceſſation of arms, ſhe alſo agreed to it upon no unequal conditions. Together with a ſuſpenſion of hoſtilities, from the twenty-fourth of July to the tenth of January, it was ſtipulated in this treaty, that, on the one hand, the proteſtants ſhould open the gates of Edinburgh next morning to the queen regent; remain in dutiful ſubjection to her government; abſtain from all future violation of religious houſes; and give no interruption to the eſtabliſhed clergy, either in the diſcharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no moleſtation to the preachers or profeſſors of the proteſtant religion; to allow the citizens of Edinburgh, during the ceſſation of hoſtilities, to enjoy the exerciſe of religious worſhip according to the form moſt agreeable to the conſcience of each individual; and to permit the free and public profeſſion of the proteſtant faith in every part of the kingdom [a]. The queen, by theſe liberal conceſſions in behalf of their religion, hoped to ſooth the proteſtants, and expected, from indulging their favourite paſſion, to render them more compliant with reſpect to other articles, particularly the expulſion of the French troops out of Scotland. The anxiety which the queen expreſſed for retaining this body of men, rendered them more and more the objects of national jealouſy and averſion. The immediate expulſion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the diſtreſs of the adverſe party, eluded the requeſt, and would conſent to nothing more, than that a French garriſon ſhould not be introduced into Edinburgh.

[a] Keith, 98. Maitland, Hiſt. of Edinb. 16, 17.

The

THE desperate state of their affairs imposed on the Congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily expected, might prove fatal to the public liberty, and Scotland might be exposed to the danger of being reduced from an independent kingdom, to the mean condition of a province, annexed to the dominions of its powerful ally. BOOK II. 1559.

In order to provide against this imminent calamity, the duke of Chatelherault, and earl of Huntly, immediately after concluding the truce, desired an interview with the chiefs of the Congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen, during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded farther, and promised to Argyll, Glencairn, and the prior of St. Andrew's, who were appointed to meet them, that if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public safety, and the preservation of their liberties, rendered necessary [o].

ABOUT this time died HENRY II. of France; just when he had adopted a system with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom [p]. Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the constable Montmorency, by the assistance of the duchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his July 8.

[o] Knox, 154. [p] Melv. 49.

BOOK II. 1559.

faithful, though often unfortunate, ſervices ſeemed juſtly to merit. That prudent miniſter imputed the inſurrections in Scotland wholly to the duke of Guiſe and the cardinal of Lorrain, whoſe violent and precipitant councils could not fail of tranſporting, beyond all bounds of moderation, men whoſe minds were poſſeſſed with that jealouſy which is inſeparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. Montmorency, in order to convince Henry that he did not load his rivals with any groundleſs accuſation, prevailed to have Melvil[q], a Scottiſh gentleman of his retinue, diſpatched into his native country with inſtructions to obſerve the motions both of the regent and of her adverſaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

DID hiſtory indulge herſelf in theſe ſpeculations, it would be amuſing to inquire what a different direction might have been given by this reſolution to the national ſpirit; and to what a different iſſue Melvil's report, which would have ſet the conduct of the malecontents in the moſt favourable light, might have conducted the public diſorders. Perhaps by gentle treatment, and artful policy, the progreſs of the Reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining poſſeſſion of this avenue, the French might have made their way into England, and, under colour of ſupporting Mary's title to the crown, they might not only have defeated all Elizabeth's meaſures in favour of the Reformation, but have re-eſtabliſhed the Roman catholic religion, and deſtroyed the liberties of that kingdom. But, into this boundleſs field of fancy and conjecture, the hiſtorian muſt make no excurſions; to relate real occurrences, and to explain their real cauſes and effects, is his peculiar and only province.

Acceſſion of Francis II. to the crown of France.

THE tragical and untimely death of the French monarch put an end to all moderate and pacific meaſures with regard to Scotland. The duke of Guiſe, and the cardinal his brother, upon the acceſſion of Francis II. a prince void of genius and without experience, aſſumed the chief direction of French affairs. Allied ſo nearly to the throne, by the marriage of their niece the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The ſame vaſt ſchemes of ambition, which they had planned out under the former reign, were

[q] The author of the Memoirs.

again

again resumed; and they were enabled, by possessing such ample authority, to pursue them with more vigour and greater probability of success. They beheld, with infinite regret, the progress of the protestant religion in Scotland; and, sensible what an unsurmountable obstacle it would prove to their designs, they bent all their strength to check its growth, before it rose to any greater height. For this purpose they carried on their preparations with all possible expedition, and encouraged the queen their sister to expect, in a short time, the arrival of an army so powerful as the zeal of their adversaries, however desperate, would not venture to oppose. BOOK II. 1559.

Nor were the lords of the Congregation either ignorant of those violent counsels, which prevailed in the court of France since the death of Henry, or careless of providing against the danger which threatened them from that quarter. The success of their cause, as well as their personal safety, depending entirely on the unanimity and vigour of their own resolutions, they endeavoured to guard against division, and to cement together more closely, by entering into a stricter body of confederacy and mutual defence. Two persons concurred in this new association, who brought a great accession both of reputation and of power to the party. These were the duke of Chatelherault, and his eldest son the earl of Arran. This young nobleman, having resided some years in France, where he commanded the Scottish guards, had imbibed the protestant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proselyte, he had uttered sentiments with respect to the points in controversy, which did not suit the temper of a bigotted court, intent at that juncture on the extinction of the protestant religion; in order to accomplish which, the greatest excesses of violence were committed. The church was suffered to wreak its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France, to take cognizance of this crime, and by their sentences several persons of distinction were condemned to the flames.

But, in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some person whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, could exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim[t]. As he was allied to

[t] Thuan. lib. xxix. p. 462. Edit. Francof.

BOOK II. 1559.

one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions, which raised Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and as he passed through England, on his return to his native country, Elizabeth by hopes and promises inflamed those passions, and sent him back into Scotland, animated with the same implacable aversion to France, which possessed a great part of his countrymen. He quickly communicated these sentiments to his father the duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now suffered himself to be drawn from the queen regent; and, having joined the Congregation, was considered, from that time, as the head of the party.

Earl of Arran joins the protestants.

But with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the person who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence, which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James V. by a daughter of lord Erskine; and as that amorous monarch had left several others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In consequence of this resolution, the priory of St. Andrew's had been conferred upon James: but, during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth, to act a principal part on a more public and conspicuous theatre. The scene in which he appeared required talents of different kinds: military virtue, and political discernment, were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the Reformation, together with the decency, and

even

even severity of his manners, secured him the reputation of being sincerely attached to religion, without which it was impossible in that age to gain an ascendant over mankind. 1559.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. As she could not, with all her address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that at this juncture he could form no such vast design. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place, a person whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private, was a project so chimerical as the most extravagant ambition would hardly entertain, and could never conceive to be practicable. The promise too, which the prior made to Melvil, of residing constantly in France, on condition the public grievances were redressed[a]; the confidence reposed in him by the duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost all the Scottish nobles, in promoting the measures by which he gave offence to the French court; go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

Troops arrive from France, and fortify Leith.

The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the duke of Chatelherault. These were immediately commanded to fortify Leith, in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh and in a plentiful country, the queen resolved to fix the head-quarters of her foreign forces. This unpopular measure, by the manner of exe-

[a] Melvil, 54.

BOOK II. 1559.

cuting it, was rendered ſtill more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and taking poſſeſſion of the houſes, which they had obliged them to abandon, preſented to the view of the Scots two objects equally irritating and offenſive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners ſettling with their wives and children in the heart of Scotland, growing into ſtrength by daily reinforcements, and openly preparing a yoke, to which, without ſome timely exertion of national ſpirit, the whole kingdom muſt of neceſſity ſubmit.

The proteſtants remonſtrate againſt this.

It was with deep concern that the lords of the Congregation beheld this bold and deciſive ſtep taken by the queen regent: nor did they heſitate a moment, whether they ſhould employ their whole ſtrength, in one generous effort, to reſcue their religion and liberty from impending deſtruction. But, in order to juſtify their own conduct, and to throw the blame entirely on their adverſaries, they reſolved to preſerve the appearances of decency and reſpect towards their ſuperiors, and to have no recourſe to arms without the moſt urgent and apparent neceſſity. They joined, with this view, in an addreſs to the regent, repreſenting, in the ſtrongeſt terms, their diſſatisfaction with the meaſures ſhe was purſuing, and beſeeching her to quiet the fears and jealouſies of the nation by deſiſting from fortifying Leith. The queen, conſcious of her preſent advantageous ſituation, and elated with the hopes of freſh ſuccours, was in no diſpoſition for liſtening to demands utterly inconſiſtent with her views, and urged with that bold importunity which is ſo little acceptable to princes.

Sept. 29.

The regent diſregards their remonſtrances.

The ſuggeſtions of her French counſellors contributed, without doubt, to alienate her ſtill further from any ſcheme of accommodation. As the queen was ready on all occaſions to diſcover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her ſecret diſapprobation of the violent meaſures they were driving on, took care to place near her ſuch perſons as betrayed her, by their inſinuations, into many actions, which her own unbiaſſed judgment would have highly condemned. As their ſucceſs in the preſent juncture, when all things were haſtening towards a criſis, depended entirely on the queen's firmneſs, the princes of Lorrain did not truſt wholly to the in-

[1] Hayne, 211.

fluence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the ministers of religion; and, by the authority of their sacred character, they hoped effectually to recommend to their sister, that system of severity which they had espoused [u]. With this view, but under pretence of confounding the protestants by the skill of such able masters in controversy, they appointed several French divines to reside in Scotland. At the head of these, and with the character of legate from the pope, was Pellevé bishop of Amiens, and afterwards archbishop and cardinal of Sens, a furious bigot [x], servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

1559.

Amidst the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to seize the church of St. Giles in Edinburgh, which had remained, ever since the late truce, in the hands of the protestants; and having, by a new and solemn consecration, purified the fabric from the pollution with which they supposed the profane ministrations of the protestants to have defiled it, they, in direct contradiction to one article in the late treaty, re-established there the rites of the Romish church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the Congregation, that it was not only vain to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

They take arms in their own defence.

The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to surprise the queen's party, and, by one sudden and decisive blow, to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no easy matter to deceive an adversary as vigilant and attentive as the queen regent. With her usual sagacity, she both foresaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies superior in number, and formidable on a day of battle by the

October 6.

[u] Lesly, 215. Castlenau, ap. Jebb, vol. ii. 446. 473. [x] Davila Brantome.

BOOK II. 1559.

ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army, provided neither with heavy cannon, nor with military stores, and little acquainted with the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti.

Nor did the queen mean while neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises she shook the fidelity, or abated the ardour, of some. By open reproach and accusation she blasted the reputation, and diminished the authority of others. Her emissaries were every where at work, and notwithstanding the zeal for religion and liberty, which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid spirit which had begun to spread among his party[y]. But if their zeal slackened a little, and suffered a momentary intermission, it soon blazed up with fresh rigour, and rose to a greater height than ever.

Renew their remonstrances;

The queen herself gave occasion to this, by the reply which she made to a new remonstrance from the lords of the Congregation. Upon their arrival at Edinburgh, they once more represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and in this address they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of this nature, and urged with so much boldness, the queen replied in terms no less vigorous and explicit. She pretended that she was not accountable to the confederate lords for any part of her conduct; and upon no representation of theirs would she either abandon measures which she deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of treason, to disband the forces which they had assembled.

but without success.

This haughty and imperious style sounded harshly to Scottish nobles, impatient, from their national character, of

[y] Knox, 189.

the

the slightest appearance of injury; accustomed even from their own monarchs to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power, as equalled, at all times, and often controlled that of the sovereign. They were sensible, at once, of the indignity offered to themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

BOOK II. 1559.

Deliberate concerning the course which they ought to take. Oct. 21.

But, that they might not seem to depart from the established forms of the constitution, for which, even amidst their most violent operations, men always retain the greatest reverence, they assembled all the peers, barons, and representatives of boroughs, who adhered to their party. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the Congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

This assembly proceeded to decide with no less dispatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action than discourse; a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the

BOOK II.

1559. the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every person present was called in his turn to declare his sentiments, and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she had exercised so much to the detriment of the kingdom.

They deprive the queen of the office of regent.

THIS extraordinary sentence was owing no less to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the Congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin[a]; the subverting the ancient laws; the imposing of new and burdensome taxes; and the attempting to subdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts, the Congregation maintained, that the nobles, as counsellors by birth-right to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and ordained that, for the future, no obedience should be given to her commands[b].

The motives of their conduct.

VIOLENT as this action may appear, there wanted not principles in the constitution, nor precedents in the history of Scotland, to justify and to authorise it. Under the aristocratical form of government established among the Scots, the power of the sovereign was extremely limited. The

[z] Knox, 184.

[a] The standard of money in Scotland was continually varying. In the 16th of James V. A. D. 1529, a pound weight of gold, when coined, produced 108 pounds of current money. But under the queen regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced 144 l. current money. In 1529, a pound weight of silver, when coined, produced 9 l. 2 s.; but in 1556, it produced 13 l. current money. Ruddiman. Præfat. ad Anderf. Diplomat. Scotiæ, p. 80, 81, from which it appears, that this complaint, which the malecontents often repeated, was not altogether destitute of foundation.

[b] M. Castelnau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges with his usual candour, that the Scots declared war against the queen regent, rather from a desire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

more

more considerable nobles were themselves petty princes, possessing extensive jurisdictions, almost independent of the crown, and followed by numerous vassals, who, in every contest, espoused their chieftain's quarrel, in opposition to the king. Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercised, the right of controlling the king. Jealous of their privileges, and ever ready to take the field in defence of them, every error in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative, without meeting resistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the Congregation thought it incumbent on them, at this juncture, to inquire into the mal-administration of the queen regent, and to preserve their country from being enslaved or conquered, by depriving her of the power to execute such a pernicious scheme.

The act of deprivation, and a letter from the lords of the Congregation to the queen regent, are still extant[c]. They discover not only that masculine and undaunted spirit, natural to men capable of so bold a resolution; but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

[c] Knox, 134.

BOOK III.

BOOK III.

THE lords of the Congregation ſoon found, that their zeal had engaged them in an undertaking, which it was beyond their utmoſt ability to accompliſh. The French garriſon, deſpiſing their numerous but irregular forces, refuſed to ſurrender Leith, and to depart out of the kingdom; nor were they ſufficiently ſkilful in the art of war to reduce the place by force, or poſſeſſed of the artillery, or magazines, requiſite for that purpoſe; and their followers, though of undaunted courage, yet being accuſtomed to decide every quarrel by a battle, were ſtrangers to the fatigues of a long campaign, and ſoon became impatient of the ſevere and conſtant duty which a ſiege requires. The queen's emiſſaries, who found it eaſy to mingle with their countrymen, were at the utmoſt pains to heighten their diſguſt, which diſcovered itſelf at firſt in murmurs and complaints, but on occaſion of the want of money for paying the army, broke out into open mutiny. The moſt eminent leaders were hardly ſecure from the unbridled inſolence of the ſoldiers; while ſome of inferior rank, interpoſing too raſhly in order to quell them, fell victims to their rage. Diſcord, conſternation, and perplexity, reigned in the camp of the reformers. The duke, their general, ſunk, with his uſual timidity, under the terror of approaching danger, and diſcovered manifeſt ſymptoms of repentance for his raſhneſs in eſpouſing ſuch a deſperate cauſe.

1559. The Congregation involved in difficulties.

IN this ſituation of their affairs, the Congregation had recourſe to Elizabeth, from whoſe protection they could derive their only reaſonable hope of ſucceſs. Some of their more ſagacious leaders, having foreſeen that the party might probably be involved in great difficulties, had early endeavoured to ſecure a reſource in any ſuch exigency, by entering into a ſecret correſpondence with the court of England [a]. Elizabeth, aware of the dangerous deſigns which the princes of Lorrain had formed againſt her crown, was early ſenſible of how much importance it would be, not only to check the progreſs of the French in Scotland, but to extend her own influence in that kingdom [b]; and perceiving how effectually the preſent inſurrections would contribute to retard or de-

Apply to Elizabeth for aſſiſtance.

[a] Burn. Hiſt. Ref. 3. Append. 278. Keith, Append. 21.
[b] See Append. No. I.

BOOK III.

1559.

ſeat the ſchemes formed againſt England, ſhe liſtened with pleaſure to theſe applications of the malecontents, and gave them private aſſurances of powerful ſupport to their cauſe. Randolph [c], an agent extremely proper for conducting any dark intrigue, was diſpatched into Scotland, and reſiding ſecretly among the lords of the Congregation, obſerved and quickened their motions. Money ſeemed to be the only thing they wanted at that time; and it was owing to a ſeaſonable remittance from England [d], that the Scottiſh nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was diſtruſtful of the Scots, and ſtudious to preſerve appearances with France, her ſubſidies were beſtowed at firſt with extreme frugality. The ſubſiſtence of an army, and the expences of a ſiege, ſoon exhauſted this penurious ſupply, to which the lords of the Congregation could make little addition from their own funds; and the ruin and diſperſion of the party muſt have inſtantly followed.

She ſends them a ſmall ſum of money.

In order to prevent this, Cockburn of Ormiſton was ſent, with the utmoſt expedition, to the governors of the town and caſtle of Berwick. As Berwick was at that time the town of greateſt importance on the Scottiſh frontier, Sir Ralph Sadler and Sir James Crofts, perſons of conſiderable figure, were employed to command there, and were entruſted with a diſcretionary power of ſupplying the Scottiſh malecontents, according to the exigency of their affairs. From them Cockburn received four thouſand crowns, but little to the advantage of his party. The earl of Bothwell, by the queen's inſtigation, lay in wait for him on his return, diſperſed his followers, wounded him, and carried off the money.

which is intercepted.

This unexpected diſappointment proved fatal to the party. In mere deſpair ſome of the more zealous attempted to aſſault Leith; but the French beat them back with diſgrace, ſeized their cannon, and purſuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confuſion which the proſpect of pillage or of maſſacre can excite in a place taken by ſtorm, filled the city on this occaſion. The inhabitants fled from the enemy by the oppoſite gate; the forces of the Congregation were irreſolute and diſmayed; and the queen's partiſans in the town openly inſulted both. At laſt, a few of the nobles ventured to face the enemy, who, after plundering ſome houſes in the ſuburbs, retired with their booty, and delivered the city from this dreadful alarm.

A SECOND ſkirmiſh, which happened a few days after, was no leſs unfortunate. The French ſent out a detachment to

[c] Keith, Append. 29. [d] Knox, 214. Keith, Append. 44.

intercept

BOOK III. 1559.

intercept a convoy of provisions which was designed for Edinburgh. The lords of the Congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A small body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

They retire from Leith in confusion.

On this second blow, the hopes and spirits of the Congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a greater distance from the enemy. In vain did the prior of St. Andrew's, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling[e].

Novemb. 6.

During this last insurrection, the great body of the Scottish nobility joined the Congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith. Bothwell openly favoured her cause, but resided at his own house. The earl of Huntly, conformable to the crafty policy which distinguishes his character, amused the leaders of the Congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man[f]. The earl of Morton, a member of the Congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine, governor of Edinburgh castle, though a protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been entrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

A few days before the retreat of the Congregation, the queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His

Maitland revolts from the queen dowager.

[e] Keith, Append. 21—45. Knox, 222.
[f] Keith, Append. 31.

zeal

zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the lords of the Congregation [h]; and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and at a time of life when his countrymen of the same quality were following the pleasures of the chace, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention, over-fertile, suggested to him, on some occasions, chimerical systems of policy, too refined for the genius of his age or country; and his enterprising spirit engaged him in projects vast and splendid, but beyond his utmost power to execute. All the cotemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities.

1559. BOOK III.

THE precipitate retreat of the Congregation increased to such a degree the terror and confusion which had seized the party at Edinburgh, that, before the army reached Stirling, it dwindled to an inconsiderable number. The spirit of Knox, however, still remained undaunted and erect, and having mounted the pulpit, he addressed, to his desponding hearers, an exhortation which wonderfully animated and revived them. The heads of this discourse are inserted in his history [i], and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in chusing the topics most fitted to influence and rouse his audience.

A MEETING of the leaders being called, to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to

The lords of the Congregation apply again to Elizabeth.

[h] Knox, 192. [i] Knox, 193.

BOOK III. 1559.

England, and resolved to implore the assistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negociator of the party, was employed in this embassy. In his absence, and during the inactive season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign which had so far exceeded the usual time of service. But, in order to preserve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in Scotland, with great concern; and as she well foresaw the dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herself would act, if their power there should grow still more formidable.

Motives which determined her to assist them.

In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, and submitted by the queen to the consideration of her privy council, still remain[k]; they are entitled, "A short discussion of the weighty matter of Scotland," and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the Congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment.

He lays it down as a principle, agreeable to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds he establishes the right of England to interpose in

[k] Burn. vol. iii. Append. 283. Forbes, i. 387, &c. Keith, Append. 26.

the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or sincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth, and by advancing the title and pretensions of their niece the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had perfuaded Henry II. to permit his daughter-in-law to assume the title and arms of queen of England; and even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the Constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter where they can attack England with most advantage. A war on the borders of that country exposes France to no danger, but one unsuccessful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childish to wait till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scottish malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own king-

BOOK III. 1559.

BOOK III. 1559.

dom, and expose it to the calamities of war, and the danger of conquest. Nothing therefore remained but to meet the enemy while yet at a distance from England, and by supporting the Congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by losing a single moment, might become unavoidable[l].

THESE arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives she had acted, in granting the Congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly dispatched into Scotland with the strongest assurances of her protection, and the lords of the Congregation were desired to send commissioners into England to conclude a treaty, and to settle the operations of the campaign with the duke of Norfolk[m].

The queen dowager meanwhile sends her French troops against them.

MEANWHILE, the queen regent, from whom no motion of the Congregation could long be concealed, dreaded the success of this negotiation with the court of England, and foresaw how little she would be able to resist the united effort of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter season, to attack the malecontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A CONSIDERABLE body of her French forces, who were augmented about this time by the arrival of the count de Martigues, with a thousand veteran foot and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, de-

[l] The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged with great force, in a paper of Maitland's. See Append. No. II.

[m] Keith, 114. Rymer, xv. p. 560.

stroying

BOOK III.

1559.

stroying and plundering, with excessive outrage, the houses and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the Congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrison sufficient to bridle the mutinous spirit of the province, and to keep possession of a port situated on the main ocean[n].

But on this occasion, the prior of St. Andrew's, lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the Congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them for more than three weeks from advancing[o].

1560.

At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the Frith of Forth. As they knew that the marquis D'Elbeuf was at that time preparing to sail for Scotland with a numerous army, they hastily concluded that these ships belonged to him, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them, that it was the fleet of England which was in sight, intended for the aid of the Congregation, and was soon to be followed by a formidable land army[p].

January 23.

The English fleet arrives to their assistance.

Throughout her whole reign Elizabeth was cautious, but decisive; and by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable, no less for its vigour than for its wisdom. No sooner did she determine to afford her protection to the lords of the Congregation, than

n Haynes, 221, &c. o Knox, 202. p Ibid. 203.

BOOK III. 1560.

they experienced the activity, as well as the extent of her power. The ſeaſon of the year would not permit her land army to take the field; but leſt the French ſhould, in the mean time, receive new reinforcements, ſhe inſtantly ordered a ſtrong ſquadron to cruiſe in the Frith of Forth. She ſeems, by her inſtructions to Winter her admiral, to have been deſirous of preſerving the appearances of friendſhip towards the French[q]. But theſe were only appearances; if any French fleet ſhould attempt to land, he was commanded to prevent it, by every act of hoſtility and violence. It was the ſight of this ſquadron, which occaſioned at firſt ſo much joy among the French, but which ſoon inſpired them with ſuch terror, as ſaved Fife from the effects of their vengeance. Apprehenſive of being cut off from their companions on the oppoſite ſhore, they retreated towards Stirling with the utmoſt precipitation, and in a dreadful ſeaſon, and through roads almoſt impaſſable, arrived at Leith, haraſſed and exhauſted with fatigue[r].

THE Engliſh fleet caſt anchor in the road of Leith, and continuing in that ſtation till the concluſion of peace, both prevented the garriſon of Leith from receiving ſuccours of any kind, and conſiderably facilitated the operations of their own forces by land.

They conclude a treaty with England. Feb. 27.

SOON after the arrival of the Engliſh ſquadron, the commiſſioners of the Congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth, which was of ſo great advantage to the cauſe. To give a check to the dangerous and rapid progreſs of the French arms in Scotland, was the profeſſed deſign of the contracting parties. In order to this, the Scots engaged never to ſuffer any cloſer union of their country with France; and to defend themſelves to the uttermoſt againſt all attempts of conqueſt. Elizabeth, on her part, promiſed to employ in Scotland a powerful army for their aſſiſtance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the Engliſh; whatever ſhould be taken from the enemy was either to be raſed, or kept by the Scots, at their choice; if any invaſion ſhould be made upon England, the Scots were obliged to aſſiſt Elizabeth with part of their forces; and to aſcertain their faithful obſervance of the treaty, they bound themſelves to deliver hoſtages to Elizabeth, before the march of her army into Scotland; in concluſion, the Scots made many proteſtations of obedience and loyalty towards

[q] Keith, Appendix 45. Haynes, 231. [r] Knox, 203.

their

their own queen, in every thing not inconsistent with their religion, and the liberties of their country[s].

1560. The English army lays siege to Leith.

The English army, consisting of six thousand foot and two thousand horse, under the command of lord Gray of Wilton, entered Scotland early in the spring. The members of the Congregation assembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom[t]. But they hoped to be able to defend Leith, till the princes of Lorrain should make good the magnificent promises of assistance, with which they daily encouraged them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous precaution for distressing an invading enemy, by burning and laying waste all the adjacent country[u]. The zeal, however, of the nation frustrated their intentions; eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary, and far from wanting subsistence, the English found in their camp all sorts of provisions at a cheaper rate than had for some time been known in that part of the kingdom[x].

April 2.

On the approach of the English army, the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of lord Erskine. This nobleman still preserved his neutrality, and by his integrity, and love of his country, merited equally the esteem of both parties. He received the queen herself with the utmost honour and respect, but took care to admit no such retinue as might endanger his command of the castle[y].

April 6.

A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before

[s] Knox, 217. Haynes, 233, &c. [t] Mem. de Castel. 430.
[u] Knox, 225. [x] Knox, ibid. [y] Forbes's Collect. vol. i. 503. Keith, 122.

BOOK III. 1560.

it, and by an obſtinate defence protracted the ſiege to a great length. The circumſtances of this ſiege, related by contemporary hiſtorians, men without knowledge or experience in the art of war, are often obſcure and imperfect, and at this diſtance of time are not conſiderable enough to be entertaining.

April 15. At firſt the French endeavoured to keep poſſeſſion of the Hawk Hill, a riſing ground not far diſtant from the town, but were beat from it with great ſlaughter, chiefly by the furious attack of the Scottiſh cavalry. Within a few days the French had their full revenge; having ſallied out with a ſtrong body, they entered the Engliſh trenches, broke their troops, nailed part of their cannon, and killed at leaſt double the number they had loſt in the former ſkirmiſh. Nor were the Engliſh more fortunate in an attempt which they made to take the place by aſſault; they were met with May 7. equal courage, and repulſed with conſiderable loſs. From the detail of theſe circumſtances by the writers of that age, it is eaſy to obſerve the different characters of the French and Engliſh troops. The former, trained to war under the active reigns of Francis I. and Henry II. defended themſelves not only with the bravery but with the ſkill of veterans. The latter, who had been more accuſtomed to peace, ſtill preſerved the intrepid and deſperate valour peculiar to the nation, but diſcovered few marks of military genius, or of experience in the practice of war. Every misfortune or diſappointment during the ſiege muſt be imputed to manifeſt errors in conduct. The ſucceſs of the beſieged in their ſally was owing entirely to the ſecurity and negligence of the Engliſh; many of their officers were abſent, their ſoldiers had left their ſtations, and the trenches were almoſt without a guard[z]. The ladders, which had been provided for the aſſault, wanted a great deal of the neceſſary length, and the troops employed in that ſervice were ill ſupported. The trenches were opened at firſt in an improper place, and as it was found expedient to change the ground, both time and labour were loſt. The weakneſs of their own generals, no leſs than the ſtrength of the French garriſon, rendered the progreſs of the Engliſh wonderfully ſlow. The long continuance, however, of the ſiege, and the loſs of part of their magazines by an accidental fire, reduced the French to extreme diſtreſs for want of proviſions, which the proſpect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the ſiege ſo far beyond expectation, the leaders of the Con-

[z] Haynes, 294. 298. 305, &c.

gregation

gregation were most idle. By new associations and confederacies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the earl of Huntly, and some others, who had not hitherto concurred with the Congregation in any of their measures [a]. Several of these lords, particularly the earl of Huntly, still adhered to the popish church; but on this occasion neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on [b].

BOOK III. 1560.

THE queen regent, the instrument, rather than the cause, of involving Scotland in those calamities under which she groaned at that time, died during the heat of the siege. No princess ever possessed qualities more capable of rendering her administration illustrious, or her people happy. Of much discernment, and no less address; of great intrepidity, and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorrain, her brothers, with most passionate fondness; she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falsehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her

Death and character of the queen dowager.

June 10.

[a] Buch. vol. iii. 287. Knox, 311. Haynes, 261. 263.

[b] The dread of the French power did on many occasions surmount the zeal which the catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, hist. of the Reformation, vol. iii. 284. and published by him, App. p. 278; the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 138. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261. 263. See Append. No. III.

the

BOOK III. 1560.

the praiſe of prudence and of lenity[c]. A few days before her death, ſhe deſired an interview with the prior of St. Andrew's, the earl of Argyll, and other chiefs of the Congregation. To them ſhe lamented the fatal iſſue of thoſe violent councils which ſhe had been obliged to follow; and, with the candour natural to a generous mind, confeſſed the errors of her own adminiſtration, and begged forgiveneſs of thoſe to whom they had been hurtful; but at the ſame time ſhe warned them, amidſt their ſtruggles for liberty and the ſhock of arms, not to loſe ſight of the loyalty and ſubjection which was due to their ſovereign[d]. The remainder of her time ſhe employed in religious meditations and exerciſes. She even invited the attendance of Willox, one of the moſt eminent among the reformed preachers, liſtened to his inſtructions with reverence and attention[e], and prepared for the approach of death with a decent fortitude.

Motives of the French to conclude a peace.

NOTHING could now ſave the French troops ſhut up in Leith, but the immediate concluſion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amuſed their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but at laſt, the ſituation of France, rather than the terror of the Engliſh arms, or the remonſtrances of the Scottiſh malecontents, conſtrained them, though with reluctance, to turn their thoughts towards pacific councils. The proteſtants in France were at that time a party formidable by their number, and more by the valour and enterpriſing genius of their leaders. Francis II. had treated them with extreme rigour, and diſcovered, by every ſtep he took, a ſettled reſolution to extirpate their religion, and to ruin thoſe who profeſſed it. At the proſpect of this danger to themſelves and to their cauſe, the proteſtants were alarmed, but not terrified. Animated with zeal, and inflamed with reſentment, they not only prepared for their own defence, but reſolved, by ſome bold action, to anticipate the ſchemes of their enemies; and as the princes of Lorrain were deemed the authors of all the king's violent meaſures, they marked them out to be the firſt victims of their indignation. Hence, and not from any diſloyalty to the king, proceeded the famous conſpiracy of Amboiſe; and though the vigilance and good fortune of the princes of Lorrain diſcovered and diſappointed that deſign, it was eaſy to obſerve new ſtorms gathering in every province of the kingdom, and ready to burſt out with all the fury and outrage of civil war.

March 15.

[c] Buchan. 324. [d] Leſley, de Rebus Geſt. Scot. 222. [e] Knox, 228.

In

In this ſituation, the ambition of the houſe of Lorrain was called off from the thoughts of foreign conqueſts, to defend the honour and dignity of the French crown, and inſtead of ſending new reinforcements into Scotland, it became neceſſary to withdraw the veteran troops already employed in that kingdom.

The negotiations for that purpoſe.

In order to conduct an affair of ſo much importance and delicacy, the princes of Lorrain made choice of Monluc biſhop of Valence, and of the ſieur de Randan. As both theſe, eſpecially the former, were reckoned inferior to no perſons of that age in addreſs and political refinement, Elizabeth oppoſed to them ambaſſadors of equal abilities; Cecil her prime miniſter, a man perhaps of the greateſt capacity who had ever held that office; and Wotton dean of Canterbury, grown old in the art of negotiating under three ſucceſſive monarchs. The intereſts of the French and Engliſh courts were ſoon adjuſted by men of ſo great dexterity in buſineſs; and as France eaſily conſented to withdraw thoſe forces which had been the chief occaſion of the war, the other points in diſpute between that kingdom and England, were not matters of tedious or of difficult diſcuſſion.

The grievances of the Congregation, and their demands upon their own ſovereigns for redreſs, employed longer time, and required to be treated with a more delicate hand. After ſo many open attempts, carried on by command of the king and queen, in order to overturn the ancient conſtitution, and to ſuppreſs the religion which they had embraced, the Scottiſh nobles could not think themſelves ſecure, without fixing ſome new barrier againſt the future encroachments of regal power. But the legal ſteps towards accompliſhing this were not ſo obvious. The French ambaſſadors conſidered the entering into any treaty with ſubjects, and with rebels, as a condeſcenſion unſuitable to the dignity of a ſovereign; and their ſcruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not ſuggeſted an expedient, which ſeemed to provide for the ſecurity of the ſubject, without derogating from the honour of the prince. The Scottiſh nobles agreed, on this occaſion to paſs from the point of right and privilege, and to accept the redreſs of their grievances as a matter of favour. Whatever additional ſecurity their anxiety for perſonal ſafety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And leſt con-

Articles of the treaty.

[g] Leſley, 524.

ceſſions

BOOK III. 1558.

ceſſions of this kind ſhould ſeem precarious and liable to be retracted by the ſame power which had made them, the French ambaſſador agreed to inſert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to obſerve them [g].

In relating this tranſaction, contemporary hiſtorians have confounded the conceſſions of Francis and Mary to their Scottiſh ſubjects, with the treaty between France and England; the latter, beſides the ratification of former treaties between the two kingdoms, and ſtipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the ſource of many important events, we ſhall often have occaſion to refer. The right of Elizabeth to her crown is thereby acknowledged in the ſtrongeſt terms; and Francis and Mary ſolemnly engage neither to aſſume the title, nor to bear the arms of king and queen of England in any time to come [h].

July 6. Honourable as this article was for Elizabeth herſelf, the conditions ſhe obtained for her allies the Scots were no leſs advantageous to them. Monluc and Randan conſented, in the name of Francis and Mary, that the French forces in Scotland ſhould inſtantly be ſent back into their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and conſent of parliament; that the fortifications of Leith and Dunbar ſhould immediately be raſed, and no new fort be erected without the permiſſion of parliament; that a parliament ſhould be held on the firſt day of Auguſt, and that aſſembly be deemed as valid in all reſpects as if it had been called by the expreſs commandment of the king and queen; that, conformable to the ancient laws and cuſtoms of the country, the king and queen ſhould not declare war or conclude peace without the concurrence of parliament; that during the queen's abſence, the adminiſtration of government ſhould be veſted in a council of twelve perſons, to be choſen out of twenty-four named by parliament, ſeven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen ſhould not advance foreigners to places of truſt or dignity in the kingdom, nor confer the offices of treaſurer or comptroller of the revenues upon any eccleſiaſtic; that an act of oblivion, aboliſhing the guilt and memory of all offences committed ſince the ſixth of March one thouſand five hundred and fifty-eight, ſhould be paſſed in the enſuing parliament, and be ratified by the king and

[g] Keith, 134, &c. Bagne, 325—364.

[h] Keith, 134. Rymer, xv. p. 581. 591, &c.

queen;

queen; that the king and queen ſhould not, under the colour of puniſhing any violation of their authority during that period, ſeek to deprive any of their ſubjects of the offices, benefices, or eſtates which they now held; that the redreſs due to churchmen, for the injuries which they had ſuſtained during the late inſurrections, ſhould be left entirely to the cognizance of parliament. With regard to religious controverſies, the ambaſſadors declared that they would not preſume to decide, but permitted the parliament, at their firſt meeting, to examine the points in difference, and to repreſent their ſenſe of them to the king and queen[1]. B. O. O. K. III. 1560.

The effects of it.

To ſuch a memorable period did the lords of the Congregation, by their courage and perſeverance, conduct an enterpriſe which at firſt promiſed a very different iſſue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more conſiderable kingdom. The ſovereign authority was by this treaty transferred wholly into the hands of the Congregation; that limited prerogative, which the crown had hitherto poſſeſſed, was almoſt entirely annihilated; and the ariſtocratical power, which always predominated in the Scottiſh government, became ſupreme and incontrolable. By this treaty too the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminiſhed; and not only were the preſent encroachments of that ambitious ally reſtrained, but, by confederating with England, protection was provided againſt any future attempt from the ſame quarter. At the ſame time, the controverſies in religion being left to the conſideration of parliament, the proteſtants might reckon upon obtaining whatever deciſion was moſt favourable to the opinions which they profeſſed.

A few days after the concluſion of the treaty, both the French and Engliſh armies quitted Scotland.

A parliament held.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, ſummoned in a manner ſo extraordinary, at ſuch a critical juncture, and to deliberate upon matters of ſo much conſequence, was expected with the utmoſt anxiety.

A Scottiſh parliament ſuitable to the ariſtocratical genius of the government, was properly an aſſembly of the nobles. It was compoſed of biſhops, abbots, barons, and a few commiſſioners of boroughs, who met all together in one houſe.

[1] Keith, 137, &c.

BOOK III. 1560.

The leſſer barons, though poſſeſſed of a right to be preſent, either in perſon or by their repreſentatives, ſeldom exerciſed it. The expence of attending, according to the faſhion of the times, with a numerous train of vaſſals and dependants; the inattention of a martial age to the forms and detail of civil government; but above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of ſo little value, as to be almoſt neglected. It appears from the ancient rolls, that during times of tranquillity, few commiſſioners of boroughs, and almoſt none of the leſſer barons, appeared in parliament. The ordinary adminiſtration of government was abandoned, without ſcruple or jealouſy, to the king and to the greater barons. But in extraordinary conjunctures, when the ſtruggle for liberty was violent, and the ſpirit of oppoſition to the crown roſe to an height, the burgeſſes and leſſer barons were rouſed from their inactivity, and ſtood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this obſervation [k]. The public indignation againſt the raſh deſigns of that weak and ill-adviſed prince, brought into parliament, beſides the greater nobles and prelates, a conſiderable number of the leſſer barons.

THE ſame cauſes occaſioned the unuſual confluence of all orders of men to the parliament, which met on the firſt of Auguſt. The univerſal paſſion for liberty, civil and religious, which had ſeized the nation, ſuffered few perſons to remain unconcerned ſpectators of an aſſembly, whoſe acts were likely to prove deciſive with reſpect to both. From all corners of the kingdom men flocked in, eager and determined to aid, with their voices in the ſenate, the ſame cauſe which they had defended with their ſwords in the field. Beſides a full convention of peers, temporal and ſpiritual, there appeared the repreſentatives of almoſt all the boroughs, and above an hundred barons, who, though of the leſſer order, were gentlemen of the firſt rank and fortune in the nation [l].

THE parliament was ready to enter on buſineſs with the utmoſt zeal, when a difficulty was ſtarted concerning the lawfulneſs of the meeting. No commiſſioner appeared in the name of the king and queen, and no ſignification of their conſent and approbation was yet received. Theſe were deemed by many eſſential to the very being of a parliament. But, in oppoſition to this ſentiment, the expreſs words of the treaty of Edinburgh were urged, by which this aſſembly was declared to be as valid, in all reſpects, as if it had been

[k] Keith, 147. [l] Ibid. 146.

called

called and appointed by the expreſs command of the king and queen. As the adherents of the Congregation greatly outnumbered their adverſaries, the latter opinion prevailed. Their boldeſt leaders, and thoſe of moſt approved zeal, were choſen to be lords of the articles, who formed a committee of ancient uſe, and of great importance in the Scottiſh parliament[n]. The deliberations of the lords of the articles were carried on with the moſt unanimous and active zeal. The act of oblivion, the nomination of twenty-four perſons, out of whom the council, intruſted with ſupreme authority, was to be elected; and every other thing preſcribed by the late treaty, or which ſeemed neceſſary to render it effectual, paſſed without diſpute or delay. The article of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from thoſe who adopted the principles of the Reformation. Many doctrines of the popiſh church were a contradiction to reaſon and a diſgrace to religion; its diſcipline had become corrupt and oppreſſive; and its revenues were both exorbitant and ill-applied. Againſt all theſe the proteſtants remonſtrated with the utmoſt aſperity of ſtyle, which indignation at their abſurdity, or experience of their pernicious tendency, could inſpire; and encouraged, by the number as well as zeal of their friends, to improve ſuch a favourable juncture, they aimed the blow at the whole fabric of popery; and beſought the parliament to interpoſe its authority for rectifying theſe multiplied abuſes[o].

BOOK III. 1560.

Its proceedings with regard to religion.

Several prelates, zealouſly attached to the ancient ſuperſtition, were preſent in this parliament. But during theſe vigorous proceedings of the proteſtants, they ſtood confounded and at gaze; and perſevered in a ſilence which was fatal to their cauſe. They deemed it impoſſible to reſiſt or divert that torrent of religious zeal, which was ſtill in its full ſtrength; they dreaded that their oppoſition would irritate their adverſaries and excite them to new acts of violence; they hoped that the king and queen would ſoon be at leiſure to put a ſtop to the career of their inſolent ſubjects, and that, after the rage and havoc of the preſent ſtorm, the former tranquillity and order would be reſtored to the church and kingdom. They were willing, perhaps, to ſacrifice the doctrine, and even the power of the church, in order to enſure

[n] From an original letter of Hamilton, archbiſhop of St. Andrew's, it appears, that the lords of articles were choſen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiſwood ſeems to conſider this to have been the common practice. Hiſt. 149.

[o] Knox, 237.

the

BOOK III. 1560.

the safety of their own persons, and to secure the possession of those revenues which were still in their hands. From whatever motives they acted, their success, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them to proceed with more boldness and alacrity[o].

The parliament did not think it enough to condemn those doctrines mentioned in the petition of the protestants; they moreover gave the sanction of their approbation to a Confession of faith presented to them by the reformed teachers, and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes which formerly came under their cognizance were transferred to the decision of civil judges[p]. By a third statute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of a second violation of the law; and a third act of disobedience was declared to be capital[q]. Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with such indecent haste did the very persons who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

With regard to the revenues of the church.

This rigorous zeal of the parliament overturned in a few days the ancient system of religion, which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings, with respect to these, were not more rapid and impetuous, than they were slow and dilatory when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dis-

[o] Knox, 253. [p] Id. ibid. [q] Keith, 152. [r] Knox, 254.

perſed

[illegible] 1559.

[illegible] and, except what [illegible] their own use. The purposes assigned by the reformers for applying these revenues, comprehended the maintenance of ministers, the education of youth, and the support of the poor, to be equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority easily prevailed on the parliament to give no ear to such a disagreeable demand[s]. Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with amazement and sorrow; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the success of religion and the honour of its ministers[t].

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, which at such a distance of time is of no importance, was founded on the words of the treaty of Edinburgh. By that, the parliament was permitted to take into consideration the state of religion, and to signify their sentiments of it to the king and queen. But, instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into so many acts, which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But when once men

The validity of this parliament called in question.

[s] Keith, 496. Append. 190, 191.
[t] Knox, 239, 256.
[t] See Append. No. IV.

BOOK III. 1560.

have been accuſtomed to break through the common boundaries of ſubjection, and their minds are inflamed with the paſſions which civil war inſpires, it is mere pedantry or ignorance to meaſure their conduct by thoſe rules, which can be applied only where government is in a ſtate of order and tranquillity. A nation, when obliged to employ ſuch extraordinary efforts in defence of its liberties, avails itſelf of every thing which can promote this great end; and the neceſſity of the caſe, as well as the importance of the object, juſtify any departure from the common and eſtabliſhed rules of the conſtitution.

Ambaſſadors ſent by the parliament to France,

In conſequence of the treaty of Edinburgh, as well as by the ordinary forms of buſineſs, it became neceſſary to lay the proceedings of parliament before the king and queen. For this purpoſe, ſir James Sandilands of Calder lord St. John was appointed to repair to the court of France. After holding a courſe ſo irregular, the leaders of the Congregation had no reaſon to flatter themſelves that Francis and Mary would ever approve their conduct, or confirm it by their royal aſſent. The reception of their ambaſſador was no other than they might have expected. He was treated by the king and queen with the utmoſt coldneſs, and diſmiſſed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain, and their partiſans, he endured all the ſcorn and inſult which it was natural for them to pour upon the party he repreſented[x].

and to Elizabeth.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambaſſadors of the parliament to Elizabeth their protectreſs, met with a very different reception; they were not more ſucceſsful in one part of the negociation entruſted to their care. The Scots, ſenſible of the ſecurity which they derived from their union with England, were deſirous of rendering it indiſſoluble. With this view they empowered theſe eminent leaders of their party to teſtify to Elizabeth their gratitude for that ſeaſonable and effectual aid which ſhe had afforded them, and at the ſame time to beſeech her to render the friendſhip between the nations perpetual, by condeſcending to marry the earl of Arran, who, though a ſubject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commiſſion Elizabeth liſtened with the utmoſt ſatisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good

x Knox, 255. Buch. 327. State Papers publiſhed by Lord Hardwicke, vol. I. p. 125, &c.

offices;

offices; with regard to the latter, ſhe diſcovered thoſe ſentiments to which ſhe adhered throughout her whole reign. Averſe from marriage, as ſome maintain through choice, but more probably out of policy, that ambitious princeſs would never admit any partner to the throne; but delighted with the entire and uncontrolled exerciſe of power, ſhe ſacrificed to the enjoyment of that, the hopes of tranſmitting her crown to her own poſterity. The marriage with the earl of Arran could not be attended with any ſuch extraordinary advantage, as to ſhake this reſolution; ſhe declined it therefore, but with many expreſſions of good-will towards the Scottiſh nation, and of reſpect for Arran himſelf[y].

BOOK III. 1560.

Towards the concluſion of this year, diſtinguiſhed by ſo many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a prince of a feeble conſtitution, and of a mean underſtanding. As he did not leave any iſſue by the queen, no incident could have been more fortunate to thoſe who, during the late commotions in Scotland, had taken part with the Congregation. Mary, by the charms of her beauty, had acquired an entire aſcendant over her huſband; and as ſhe transferred all her influence to her uncles the princes of Lorrain, Francis followed them implicitly in whatever track they were pleaſed to lead him. The power of France, under ſuch direction, alarmed the Scottiſh malecontents with apprehenſions of danger, no leſs formidable than well founded. The inteſtine diſorders which raged in France, and the ſeaſonable interpoſition of England in behalf of the Congregation, had hitherto prevented the princes of Lorrain from carrying their deſigns upon Scotland into execution. But under their vigorous and deciſive adminiſtration, it was impoſſible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of theſe events, the Scots would ſtand expoſed to all the vengeance which the reſentment of the French court could inflict. The blow, however long ſuſpended, was unavoidable, and muſt fall at laſt with redoubled weight. From this proſpect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the chief bond of union which remained was diſſolved. Catherine of Medicis, who, during the minority of Charles IX. her ſecond ſon, engroſſed the entire direction

The death of Francis II.

[y] Burn. 3. Append. 308. Keith, 154, &c.

BOOK III. 1560.

of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced prince; but as the charms of the wife easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion, slighted by the queen-mother, and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there in solitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

Mary retires from the court of France.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder cotemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair[z].

About this time the protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the Reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

Establishment of presbyterian church government.

The licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused that spirit of inquiry which proved fatal to the popish system. As this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at

[z] Henault, 340. Castela. 454. [a] Knox, 359.

BOOK III. 1560.

hit upon the offices which they enjoyed; the effects of the Reformation would naturally have extended not only to the doctrine, but to the form of government in the popiſh church; and the ſame ſpirit which aboliſhed the former, would have overturned the latter. But in the arrangements which took place in the different kingdoms and ſtates of Europe in conſequence of the Reformation, we may obſerve ſomething ſimilar to what happened upon the firſt eſtabliſhment of Chriſtianity in the Roman empire. In both periods, the form of eccleſiaſtical policy was modelled, in ſome meaſure, upon that of the civil government. When the Chriſtian church was patroniſed and eſtabliſhed by the ſtate, the juriſdiction of the various orders of eccleſiaſtics, diſtinguiſhed by the names of Patriarchs, Archbiſhops, and Biſhops, was made to correſpond with the various diviſions of the empire; and the eccleſiaſtic of chief eminence in each of theſe poſſeſſed authority more or leſs extenſive in proportion to that of the civil magiſtrate who preſided over the ſame diſtrict. When the Reformation took place, the epiſcopal form of government, with its various ranks and degrees of ſubordination, appearing to be moſt conſiſtent with the genius of monarchy, it was continued, with a few limitations, in ſeveral provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and ſome parts of the Low Countries, where the popular form of government allowed more full ſcope to the innovating genius of the Reformation, all pre-eminence of order in the church was deſtroyed, and an equality eſtabliſhed more ſuitable to the ſpirit of republican policy. As the model of epiſcopal government was copied from that of the Chriſtian church as eſtabliſhed in the Roman empire, the ſituation of the primitive church, prior to its eſtabliſhment by civil authority, ſeems to have ſuggeſted the idea, and furniſhed the model of the latter ſyſtem, which has ſince been denominated *Preſbyterian*. The firſt Chriſtians, oppreſſed by continual perſecutions, and obliged to hold their religious aſſemblies by ſtealth and in corners, were contented with a form of government extremely ſimple. The influence of religion concurred with the ſenſe of danger, in extinguiſhing among them the ſpirit of ambition, and in preſerving a parity of rank, the effect of their ſufferings, and the cauſe of many of their virtues. Calvin, whoſe deciſions were received among many proteſtants of that age with incredible ſubmiſſion, was the patron and reſtorer of this ſcheme of eccleſiaſtical policy. The church of Geneva, formed under his eye and by his direction, was deemed the moſt perfect model of this government; and Knox,

BOOK III. who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

1560. Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy; and by abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves, that by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form [b]. Instead of bishops, he proposed to establish ten or twelve superintendants in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the Reformation at different times, and from various motives; during the public commotions, they were scattered, merely by chance, over the different provinces of the kingdom; and in a few places only were formed into regular classes or societies.

Dec. 20. The first general assembly of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of

[b] Spotswood, 138.

the

the kingdom no representatives appeared. In the name of some entire counties, but one person was present; while in other places, a single town or church sent several members. A convention, so feeble and irregular, could not possess extensive authority; and, conscious of their own weakness, the members put an end to their debates, without venturing upon any decision of much importance[e].

BOOK III. 1559.

In order to give greater strength and consistence to the presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy. They presented it to a convention of estates, which was held in the beginning of this year. Whatever regulations were proposed with regard to ecclesiastical discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the patrimony of the church, which is there insinuated, met with a very different reception. 1561. Jan. 15.

In vain did the clergy display the advantages which would accrue to the public, by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and bestowing upon the proposal the name of a *devout imagination*, they affected to consider it as a project altogether visionary, and treated it with the utmost scorn[f].

Thus convention appointed the prior of St. Andrew's to repair to the queen, and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. Though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended[g], the bulk of them desired it with so much ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman catholics got the start of the prior in paying court to Mary; and Lesly, afterwards bishop of Ross, who was commissioned by them, arrived before him at the place of her residence[h]. Lesly endeavoured to infuse into the queen's mind suspicions of her protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to her own religion. For this purpose, he insisted that she should land at Aber- The queen invited to return into Scotland.

[e] Keith, 498. [d] Spots. 158. [e] Knox, 256.
[f] See Append. No. V. [g] Lesly, 227.

deen; and as the proteſtant doctrines had made no conſiderable progreſs in that part of the kingdom, ſhe gave aſſurance of being joined in a few days by twenty thouſand men; and flattered her, that with ſuch an army, encouraged by her preſence and authority, ſhe might eaſily overturn the reformed church, before it was firmly ſettled on its foundations.

But at this juncture, the princes of Lorrain were not diſpoſed to liſten to this extravagant and dangerous propoſal. Intent on defending themſelves againſt Catherine of Medicis, whoſe inſidious policy was employed in undermining their exorbitant power, they had no leiſure to attend to the affairs of Scotland, and wiſhed their niece to take poſſeſſion of her kingdom with as little diſturbance as poſſible. The French officers too, who had ſerved in Scotland, diſſuaded Mary from all violent meaſures; and, by repreſenting the power and number of the proteſtants to be irreſiſtible, determined her to court them by every art; and rather to employ the leading men of that party as miniſters, than to provoke them, by a fruitleſs oppoſition, to become her enemies[h]. Hence proceeded the confidence and affection with which the prior of St. Andrew's was received by the queen. His repreſentation of the ſtate of the kingdom gained great credit; and Leſly beheld with regret the new channel in which court favour was likely to run.

Another convention of eſtates was held in May. The arrival of an ambaſſador from France ſeems to have been the occaſion of this meeting. He was inſtructed to ſolicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to reſtore the popiſh eccleſiaſtics to the poſſeſſion of their revenues and the exerciſe of their functions. It is no eaſy matter to form any conjecture concerning the intentions of the French court in making theſe extraordinary and ill-timed propoſitions. They were rejected with that ſcorn which might well have been expected from the temper of the nation[i].

In this convention, the proteſtant clergy did not obtain a more favourable audience than formerly, and their proſpect of recovering the patrimony of the church ſtill remained as diſtant and uncertain as ever. But, with regard to another point, they found the zeal of the nobles in no degree abated. The book of diſcipline ſeemed to require that the monuments of popery, which ſtill remained in the kingdom, ſhould be demoliſhed[k]; and, though neither the fame pretence of

[h] Melv. 61. [i] Knox, 269, 273. [k] Spotſwood, 113.

policy, nor the fame ungovernable rage of the people, remained to justify, or excuse this barbarous havoc. The convention, considering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbies, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence.

CAP. III. 1559.

In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasion of her uncles, but above all, the studied and mortifying neglect with which she was treated by the queen mother, forced her to think of beginning this disagreeable voyage. But while she was preparing for it, there were sown between her and Elizabeth the seeds of that personal jealousy and discord, which embittered the life and shortened the days of the Scottish queen.

Mary begins to prepare for it.

The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true cause of it lay much deeper. Almost every article in that treaty had been executed by both parties with scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

Origin of the discord between her and Elizabeth.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success than Cecil. In the conduct of the negociation at Edinburgh, the sound understanding of this able politician had proved greatly an overmatch for Monluc's refinements

[1] Spotswood, 174. [2] Brantome, Jebb, vol. ii. 482.

BOOK III. 1561.

in intrigue, and had artfully induced the French ambaſſadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but alſo to promiſe, that in all times to come Mary ſhould abſtain from uſing the titles, or bearing the arms, of thoſe kingdoms.

THE ratification of this article would have been of the moſt fatal conſequence to Mary. The crown of England was an object worthy of her ambition. Her pretenſions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was eſteemed preferable to that of Elizabeth. Among the Engliſh themſelves, the Roman catholics, who formed at that time a numerous and active party, openly eſpouſed this opinion; and even the proteſtants, who ſupported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herſelf of all theſe advantages could not, in the courſe of things, be far diſtant, and many incidents might fall in, to bring this opportunity nearer than was expected. In theſe circumſtances Mary, by ratifying the article in diſpute, would have loſt that rank which ſhe had hitherto held among neighbouring princes; the zeal of her adherents muſt have gradually cooled; and ſhe might have renounced, from that moment, all hopes of ever wearing the Engliſh crown[n].

NONE of theſe beneficial conſequences eſcaped the penetrating eye of Elizabeth, who, for this reaſon, had recourſe to every thing by which ſhe could hope either to ſooth or frighten the Scottiſh queen into a compliance with her demands; and if that princeſs had been ſo unadviſed as to ratify the raſh conceſſions of her ambaſſadors, Elizabeth, by that deed, would have acquired an advantage, which, under her management, muſt have turned to great account. By ſuch a renunciation, the queſtion with regard to the right of ſucceſſion would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, ſhe might have broken in upon the order of lineal ſucceſſion, and transferred the crown to ſome other deſcendant of the royal blood. The former conduct ſhe obſerved towards James VI. whom, during his whole reign, ſhe held in perpetual fear and ſubjection. The latter and more rigorous method of proceeding would, in all probability, have been employed againſt Mary, whom, for many reaſons, ſhe both envied and hated.

[n] Haynes, 373, &c.

NOR

Nor was this ſtep beyond her power, unprecedented in the hiſtory, or inconſiſtent with the conſtitution, of England. Though ſucceſſion by hereditary right be an idea ſo natural and ſo popular, that it has been eſtabliſhed in almoſt every civilized nation, yet England affords many memorable inſtances of deviations from that rule. The crown of that kingdom having once been ſeized by the hand of a conqueror, this invited the bold and enterpriſing in every age to imitate ſuch an illuſtrious example of fortunate ambition. From the time of William the Norman, the regular courſe of deſcent had ſeldom continued through three ſucceſſive reigns. Thoſe princes, whoſe intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal conſideration. That great aſſembly claimed and actually poſſeſſed a power of altering the order of regal ſucceſſion; and even ſo late as Henry VIII. an act of parliament had authoriſed that capricious monarch to ſettle the order of ſucceſſion at his pleaſure. The Engliſh, jealous of their religious liberty, and averſe from the dominion of ſtrangers, would have eagerly adopted the paſſions of their ſovereign, and might have been eaſily induced to exclude the Scottiſh line from the right of ſucceeding to the crown. Theſe ſeem to have been the views of both queens, and theſe were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the ſources of their diſcord were to be traced no higher than this treaty, an inconſiderable alteration in the words of it might have brought the preſent queſtion to an amicable iſſue. The indefinite and ambiguous expreſſion which Cecil had inſerted into the treaty, might have been changed into one more limited but more preciſe; and Mary, inſtead of promiſing to abſtain from bearing the title of Queen of England, in all times to come, might have engaged not to aſſume that title during the life of Elizabeth, or the lives of her lawful poſterity *.

Such

* This expedient for terminating the difference between Elizabeth and Mary was ſo obvious, that it could not fail of preſenting itſelf to the view of the Engliſh miniſters. "There hath been a matter ſecretly thought of (ſays Cecil in a letter to Throkmorton, July 24, 1561), which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our miſtreſs and the Scottiſh queen, that this ſhould by parliament in Scotland, &c. ſurrender unto the queen's majeſty all matter of claim, and unto the heirs of her body; and in conſideration thereof, the Scottiſh queen's intereſt ſhould be acknowledged in default of heirs of the body of the queen's majeſty. Well God ſend our miſtreſs a huſband, and by time a ſon, that we may hope

BOOK III. 1562

Such an amendment, however, did not ſuit the views of either queen. Though Mary had been obliged to ſuſpend for ſome time the proſecution of her title to the Engliſh crown, ſhe had not however relinquiſhed it. She determined to revive her claim on the firſt proſpect of ſucceſs, and was unwilling to bind herſelf, by a poſitive engagement, not to take advantage of any ſuch fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recogniſed the right of her rival to aſcend the throne after her deceaſe. But neither the Scottiſh nor Engliſh queen durſt avow theſe ſecret ſentiments of their hearts. Any open diſcovery of an inclination to diſturb the tranquillity of England, or to wreſt the ſcepter out of Elizabeth's hands, might have proved fatal to Mary. Any ſuſpicion of a deſign to alter the order of ſucceſſion, and to ſet aſide the claim of the Scottiſh queen, would have expoſed Elizabeth to much and deſerved cenſure, and have raiſed up againſt her many and dangerous enemies. Theſe, however carefully concealed or artfully diſguiſed, were, in all probability, the real motives which determined the one queen to ſolicit, and the other to refuſe, the ratification of the treaty in its original form; while neither had recourſe to that explication of it, which to an heart unwarped by political intereſt, and ſincerely deſirous of union and concord, would have appeared ſo obvious and natural.

But though conſiderations of intereſt firſt occaſioned this rupture between the Britiſh queens, rivalſhip of another kind contributed to widen the breach, and female jealouſy increaſed the violence of their political hatred. Elizabeth, with all thoſe extraordinary qualities by which ſhe equalled or ſurpaſſed ſuch of her ſex as have merited the greateſt renown, diſcovered an admiration of her own perſon, to a degree which women of ordinary underſtandings either do not entertain, or prudently endeavour to conceal. Her attention to dreſs, her ſolicitude to diſplay her charms, her love of flattery, were all exceſſive. Nor were theſe weakneſſes confined to that period of life when they are more pardonable. Even in very advanced years, the wiſeſt wo-

of this there is no evidence

hopeleſs poſterity ſhall have a maſculine ſucceſſion. This matter is too big for weak folks, and too deep for ſimple. The queen's majeſty knoweth of it." Hardw. State Pap. i. 174. But with regard to every point relating to the ſucceſſion, Elizabeth was ſo jealous, and ſo apt to take offence, that her moſt confidential miniſters durſt not urge her to advance one ſtep farther than ſhe herſelf choſe to go. Cecil, mentioning ſome ſcheme about the ſucceſſion if the queen ſhould not marry or leave iſſue, adds, with his uſual caution: "This ſong hath many parts; but, for my part, I have no ſkill but in plain ſong." Ibid. 178.

men

men of that, or perhaps of any other age, wore the garb, and affected the manners of a girl[o]. Though Elizabeth was as much inferior to Mary in beauty and graceſulneſs of perſon, as ſhe excelled her in political abilities and in the arts of government, ſhe was weak enough to compare herſelf with the Scottiſh queen[p]; and as it was impoſſible ſhe could be altogether ignorant how much Mary gained by the comparison, ſhe envied and hated her as a rival by whom ſhe was eclipſed. In judging of the conduct of princes, we are apt to aſcribe too much to political motives, and too little to the paſſions which they feel in common with the reſt of mankind. In order to account for Elizabeth's preſent, as well as her ſubſequent conduct towards Mary, we muſt not always conſider her as a queen, we muſt ſometimes regard her merely as a woman.

ELIZABETH, though no ſtranger to Mary's difficulties with reſpect to the treaty, continued to urge her, by repeated applications, to ratify it[q]. Mary, under various pretences, ſtill contrived to gain time, and to elude the requeſt. But while the one queen ſolicited with perſevering importunity, and the other evaded with artful delay, they both ſtudied an extreme politeneſs of behaviour, and loaded each other with profeſſions of ſiſterly love, with reciprocal declarations of unchangeable eſteem and amity.

IT was not long before Mary was convinced, that among princes theſe expreſſions of friendſhip are commonly far diſtant from the heart. In ſailing from France to Scotland, the courſe lies along the Engliſh coaſt. In order to be ſafe from the inſults of the Engliſh fleet, or, in caſe of tempeſtuous weather, to ſecure a retreat in the harbours of that kingdom, Mary ſent M. D'Oyſel to demand of Elizabeth a ſafe-conduct during her voyage. This requeſt, which decency alone obliged one prince to grant to another, Elizabeth rejected, in ſuch a manner as gave riſe to no ſlight ſuſpicion of a deſign, either to obſtruct the paſſage, or to intercept the perſon of the Scottiſh queen[r]. Elizabeth refuſes Mary a ſafe-conduct.

MARY, in a long conference with Throkmorton, the Engliſh ambaſſador in France, explained her ſentiments concerning this ungenerous behaviour of his miſtreſs, in a ſtrain of dignified expoſtulation, which conveys an idea of her abilities, addreſs, and ſpirit, as advantageous as any tranſaction in her reign. Mary was at that time only in her eighteenth year, and as Throkmorton's account of what paſſed in his inter-

[o] Johnſton Hiſt. Rer. Britan. 346. 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article *Elizabeth*. [p] Melvil, 98. [q] Keith, 157. 160. &c. [r] Keith, 171. Camden, See Appendix, No. VI. view

BOOK III. 1561.

view with her, is addreſſed directly to Elizabeth; that dexterous courtier, we may be well aſſured, did not embelliſh the diſcourſe of the Scotiſh queen with any colouring too favourable.

Mary begins her voyage.

WHATEVER reſentment Mary might feel, it did not retard her departure from France. She was accompanied to Calais, the place where ſhe embarked, in a manner ſuitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain her uncles, with many of the moſt eminent among the French nobles, were in her retinue. Catherine, who ſecretly rejoiced at her departure, graced it with every circumſtance of magnificence and reſpect. After bidding adieu to her mourning attendants, with a ſad heart, and eyes bathed in tears, Mary left that kingdom, the ſhort but only ſcene of her life in which fortune ſmiled upon her. While the French coaſt continued in ſight, ſhe intently gazed upon it, and muſing, in a thoughtful poſture, on that height of fortune whence ſhe had fallen, and preſaging, perhaps, the diſaſters and calamities which embittered the remainder of her days, ſhe ſighed often, and cried out, "Farewell France! Farewel beloved country, which I ſhall never more behold!" Even when the darkneſs of the night had hid the land from her view, ſhe would neither retire to the cabin, nor taſte food, but commanding a couch to be placed on the deck, ſhe there waited the return of day with the utmoſt impatience. Fortune ſoothed her on this occaſion; the galley made little way during the night. In the morning, the coaſt of France was ſtill within ſight, and ſhe continued to feed her melancholy with the proſpect; and as long as her eyes could diſtinguiſh it, to utter the ſame tender expreſſions of regret[u]. At laſt a briſk gale aroſe, by the favour of which for ſome days, and afterwards under the cover of a thick fog, Mary eſcaped the Engliſh fleet, which lay in wait to intercept her[x]; and on the nineteenth of

[t] Cabbala, p. 374. Keith, 170, &c.

[u] Brantome, 483. He himſelf was in the ſame galley with the queen.

[x] Goodal, vol. i. 175. Camden inſinuates, rather than affirms, that it was the object of the Engliſh fleet to intercept Mary. This, however, ſeems to be doubtful. Elizabeth poſitively aſſerts, that at the requeſt of the king of Spain ſhe had fitted out a few ſhips of ſlender force, in order to clear the narrow ſeas of pirates, which infeſted them; and ſhe appeals for the truth of this to Mary's own miniſters. App. No. VI. p. 403. Cecil, in a letter to Throkmorton, Aug. 26, 1561, informs him, that "the queen's ſhips, which were upon the ſea to cleanſe them of pirates, ſaw her [i.e. Mary], and ſaluted her galleys, and ſeeing her ſhips, examined them of pirates, and diſmiſſed them gently. One Scottiſh ſhip they detain as vehemently ſuſpected of piracy." Hard. State Papers, i. 176. Caſtelnau, who accompanied Mary in the voyage, confirms the circumſtance of her galleys being in ſight of the Engliſh fleet. Mem. ap. Jebb, ii. 455.

August, after an abſence of near thirteen years, landed BOOK III. safely at Leith in her native kingdom.

1561. Arrives in Scotland.

MARY was received by her ſubjects with ſhouts and acclamations of joy, and with every demonſtration of welcome and regard. But as her arrival was unexpected, and no ſuitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holy-rood-houſe with little pomp. The queen, accuſtomed from her infancy to ſplendour and magnificence, and fond of them, as was natural at her age, could not help obſerving the change in her ſituation, and ſeemed to be deeply affected with it[y].

State of the kingdom at that time.

NEVER did any prince aſcend the throne at a juncture which called for more wiſdom in council, or more courage and ſteadineſs in action. The rage of religious controverſy was ſtill unabated. The memory of paſt oppreſſion exaſperated the proteſtants; the ſmart of recent injuries rendered the papiſts deſperate; both were zealous, fierce, and irreconcilable. The abſence of their ſovereign had accuſtomed the nobles to independence; and during the late commotions, they had acquired ſuch an increaſe of wealth, by the ſpoils of the church, as threw great weight into the ſcale of the ariſtocracy, which ſtood not in need of any acceſſion of power. The kingdom had long been under the government of regents, who exerciſed a delegated juriſdiction, attended with little authority, and which inſpired no reverence. A ſtate of pure anarchy had prevailed for the two laſt years, without a regent, without a ſupreme council, without the power, or even the form, of a regular government[z]. A licentious ſpirit, unacquainted with ſubordination, and diſdaining the reſtraints of law and juſtice, had ſpread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or deſpiſed. The Engliſh, of enemies become confederates, had grown into confidence with the nation, and had gained an aſcendant over all its councils. The Scottiſh monarchs did not derive more ſplendour or power from the friendſhip of the former, than they had reaſon to dread injury and diminution from the interpoſition of the latter. Every conſideration, whether of intereſt or of ſelf-preſervation, obliged Elizabeth to depreſs the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the ſpirit of diſſatisfaction among the people.

IN this poſture were the affairs of Scotland, when the adminiſtration fell into the hands of a young queen, not nine-

y Brant. 484. z Keith, Appendix, 92.

teen

BOOK III. 1561.

teen years of age, unacquainted with the manners and laws of her country, a ſtranger to her ſubjects, without experience, without allies, and almoſt without a friend.

On the other hand, in Mary's ſituation we find ſome circumſtances, which, though they did not balance theſe diſadvantages, contributed however to alleviate them; and, with ſkilful management, might have produced great effects. Her ſubjects, unaccuſtomed ſo long to the reſidence of their prince, were not only dazzled by the novelty and ſplendour of the royal preſence, but inſpired with awe and reverence. Beſides the places of power and profit beſtowed by the favour of a prince, his protection, his familiarity, and even his ſmiles, confer honour and win the hearts of men. From all corners of the kingdom, the nobles crowded to teſtify their duty and affection to their ſovereign, and ſtudied by every art to wipe out the memory of paſt miſconduct, and to lay in a ſtock of future merit. The amuſements and gaiety of her court, which was filled with the moſt accompliſhed of the French nobility, who had attended her, began to ſoften and to poliſh the rude manners of the nation. Mary herſelf poſſeſſed many of thoſe qualifications which raiſe affection and procure eſteem. The beauty and gracefulneſs of her perſon drew univerſal admiration, the elegance and politeneſs of her manners commanded general reſpect. To all the charms of her own ſex, ſhe added many of the accompliſhments of the other. The progreſs ſhe had made in all the arts and ſciences, which were then deemed neceſſary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without leſſening the dignity of a prince, ſteals on the hearts of ſubjects with a bewitching inſinuation.

From theſe circumſtances, notwithſtanding the threatening aſpect of affairs at Mary's return into Scotland, notwithſtanding the clouds which gathered on every hand, a political obſerver would have predicted a very different iſſue of her reign; and whatever ſudden guſts of faction he might have expected, he would never have dreaded the deſtructive violence of that ſtorm which followed.

While all parties were contending who ſhould diſcover the moſt dutiful attachment to the queen, the zealous and impatient ſpirit of the age broke out in a remarkable inſtance. On the Sunday after her arrival, the queen commanded maſs to be celebrated in the chapel of her palace. The firſt rumour of this occaſioned a ſecret murmuring among the proteſtants who attended the court; complaints and threatenings

lage soon followed; the servants belonging to the chapel were insulted and abused; and, if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses. BOOK III. 1561.

It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery, which then possessed the nation. Every instance of condescension to the papists was deemed an act of apostacy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men [a]. Under the influence of these opinions, many protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near an hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery in that age, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary and destitute of any real foundation.

The leaders of the protestants, however, by this prudent compliance with the prejudices of their sovereign, obtained from her a proclamation highly favourable to their religion, which was issued six days after her arrival in Scotland. Aug. 25. The reformed doctrine, though established over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or sanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, "that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert

[a] Knox, 284. Hunt, 372. [b] Knox, 287.

BOOK III. 1561.

the religion which she found universally practised in the realm, should be deemed a capital crime. Next year a second proclamation to the same effect was published.

She employs only protestants in the administration.

The queen, conformable to the plan which had been concerted in France, committed the administration of affairs entirely to protestants. Her council was filled with the most eminent persons of that party; not a single papist was admitted into any degree of confidence[e]. The prior of St. Andrew's and Maitland of Lethington seemed to hold the first place in the queen's affection, and possessed all the power and reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the sentiments of the nation, as could not fail of gaining the affection of her subjects, the firmest foundation of a prince's power, and the only genuine source of his happiness and glory.

Attempts to gain Elizabeth's favour.

A CORDIAL reconcilement with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth[f]. Both the ambassadors were received with the utmost civility; and on each side the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, were the pretences offered in excuse for her conduct; the real causes of it were those which have already

[e] Keith, 504. [f] Ibid. 510. [g] Knox, 285.
[h] Lesly, 235. [i] Keith, 181, &c.

already been mentioned. But in order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was thought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if, in failure of these, she were declared next heir by act of parliament.

Plausible as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse this passion. It descended to her from Henry VII. her grandfather, whom, in several features of his character, she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him, she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's advantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than to search for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched.

About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected which could express the duty and affection of the citizens towards their sovereign. But amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not

Sept. 1.

[h] Camden, 387. Buch. 329.

BOOK III. 1561.

to be overlooked. As it was the mode of the times to exhibit many pageants at every public ſolemnity, moſt of theſe, on this occaſion, were contrived to be repreſentations of the vengeance which the Almighty had inflicted upon idolaters[1]. Even while they ſtudied to amuſe and to flatter the queen, her ſubjects could not refrain from teſtifying their abhorrence of that religion which ſhe profeſſed.

Reſtrains the licence of the borderers.

To reſtore the regular adminiſtration of juſtice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preſervation of public order, and the ſecurity of private property, were nearly the ſame in Scotland as in every other civilized country. But the nature of the Scottiſh conſtitution, the feebleneſs of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of theſe laws feeble, irregular, and partial. In the counties which border on England, this defect was moſt apparent; and the conſequences of it moſt ſenſibly felt. The inhabitants, ſtrangers to induſtry, averſe from labour, and unacquainted with the arts of peace, ſubſiſted chiefly by ſpoil and pillage, and, being confederated in ſepts or clans, committed theſe exceſſes not only with impunity, but even with honour. During the unſettled ſtate of the kingdom from the death of James V. this dangerous licence had grown to an unuſual height; and the inroads and rapine of thoſe freebooters were become no leſs intolerable to their own countrymen than to the Engliſh. To reſtrain and puniſh theſe outrages, was an action equally popular in both kingdoms. The prior of St. Andrew's was the perſon choſen for this important ſervice, and extraordinary powers, together with the title of the queen's lieutenant, were veſted in him for this purpoſe.

NOTHING can be more ſurpriſing to men accuſtomed to regular government, than the preparations made on this occaſion. They were ſuch as might be expected in the rudeſt and moſt imperfect ſtate of ſociety. The freeholders of eleven ſeveral counties, with all their followers completely armed, were ſummoned to aſſiſt the lieutenant in the diſcharge of his office. Every thing reſembled a military expedition, rather than the progreſs of a court of juſtice[k]. The prior executed his commiſſion with ſuch vigour and prudence, as acquired him a great increaſe of reputation and popularity among his countrymen. Numbers of the banditti ſuffered the puniſhment due to their crimes; and, by the impartial and rigorous adminiſtration of juſtice, order and tranquillity were reſtored to that part of the kingdom.

[1] Keith, 189. [k] Ibid. 198.

DURING

BOOK II.

1561.

During the abſence of the prior of St. Andrew's, the leaders of the popiſh faction ſeem to have taken ſome ſteps towards inſinuating themſelves into the queen's favour and confidence[l]. But the archbiſhop of St. Andrew's, the moſt remarkable perſon in the party for abilities and political addreſs, was received with little favour at court; and whatever ſecret partiality the queen might have towards thoſe who profeſſed the ſame religion with herſelf, ſhe diſcovered no inclination at that time to take the adminiſtration of affairs out of the hands to which ſhe had already committed it.

The papiſts attempt, in vain, to get into favour with her.

The cold reception of the archbiſhop of St. Andrew's was owing to his connection with the houſe of Hamilton; from which the queen was much alienated. The duke of Guiſe and the cardinal could never forgive the zeal with which the duke of Chatelherault and his ſon the earl of Arran had eſpouſed the cauſe of the Congregation. Princes ſeldom view their ſucceſſors without jealouſy and diſtruſt. The prior of St. Andrew's, perhaps, dreaded the duke as a rival in power. All theſe cauſes concurred in infuſing into the queen's mind an averſion for that family. The duke, indulging his love of retirement, lived at a diſtance from court, without taking pains to inſinuate himſelf into favour; and though the earl of Arran openly aſpired to marry the queen, he, by a moſt unpardonable act of imprudence, was the only nobleman of diſtinction who oppoſed Mary's enjoying the exerciſe of her religion; and by raſhly entering a public proteſtation againſt it, entirely forfeited her favour[m]. At the ſame time, the ſordid parſimony of his father obliged him either to hide himſelf in ſome retirement, or to appear in a manner unbecoming his dignity as firſt prince of the blood, or his high pretenſions as ſuitor to the queen[n]. His love inflamed by diſappointment, and his impatience exaſperated by neglect, preyed gradually on his reaſon; and, after many extravagancies, broke out at laſt in ungovernable frenzy.

Towards the end of the year, a convention of eſtates was held, chiefly on account of eccleſiaſtical affairs. The aſſembly of the church, which ſat at the ſame time, preſented a petition, containing many demands with reſpect to the ſuppreſſing of popery, the encouraging the proteſtant religion, and the providing for the maintenance of the clergy[o]. The laſt was a matter of great importance, and the ſteps taken towards it deſerve to be traced. Dec. 20.

[l] Keith, 203. [m] Ibid, 201, 204. Knox, 186. [n] Keith, 196.
[o] Ibid. 210.

BOOK III.

1581. A new regulation concerning the revenues of the church.

Though the number of proteſtant preachers was now conſiderably increaſed, many more were ſtill wanted, in every corner of the kingdom. No legal proviſion having been made for them, they had hitherto drawn a ſcanty and precarious ſubſiſtence from the benevolence of their people. To ſuffer the miniſters of an eſtabliſhed church to continue in this ſtate of indigence and dependence, was an indecency equally repugnant to the principles of religion, and to the maxims of ſound policy; and would have juſtified all the imputations of avarice with which the Reformation was then loaded by its enemies. The revenues of the popiſh church were the only fund which could be employed for their relief; but during the three laſt years the ſtate of theſe was greatly altered. A great majority of abbots, priors, and other heads of religious houſes, had, either from a ſenſe of duty, or from views of intereſt, renounced the errors of popery; and, notwithſtanding this change in their ſentiments, they retained their ancient revenues. Almoſt the whole order of biſhops, and ſeveral of the other dignitaries, ſtill adhered to the Romiſh ſuperſtition; and though debarred from every ſpiritual function, continued to enjoy the temporalities of their benefices. Some laymen, eſpecially thoſe who had been active in promoting the Reformation, had, under various pretences, and amidſt the licence of civil wars, got into their hands poſſeſſions which belonged to the church. Thus, before any part of the ancient eccleſiaſtical revenues could be applied towards the maintenance of the proteſtant miniſters, many different intereſts were to be adjuſted; many claims to be examined; and the prejudices and paſſions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquieſced in even by the popiſh clergy themſelves. An exact account of the value of eccleſiaſtical benefices throughout the kingdom was appointed to be taken. The preſent incumbents, to whatever party they adhered, were allowed to keep poſſeſſion: two-thirds of their whole revenue were reſerved for their own uſe, the remainder was annexed to the crown; and out of that, the queen undertook to aſſign a ſufficient maintenance for the proteſtant clergy[y].

As moſt of the biſhops and ſeveral of the other dignitaries were ſtill firmly attached to the popiſh religion, the extirpation of the whole order, rather than an act of ſuch extraordinary indulgence, might have been expected from

[y] Keith, Append. 173. Knox, 194.

the

the zeal of the preachers, and from the ſpirit which had hitherto animated the nation. But, on this occaſion, other principles obſtructed the operations of ſuch as were purely religious. Zeal for liberty, and the love of wealth, two paſſions extremely oppoſite, concurred in determining the proteſtant leaders to fall in with this plan, which deviated ſo manifeſtly from the maxims by which they had hitherto regulated their conduct.

1563. A new revolution concerning the revenues of the church.

If the reformers had been allowed to act without controul, and to level all diſtinctions in the church, the immenſe revenues annexed to eccleſiaſtical dignities could not, with any colour of juſtice, have been retained by thoſe in whoſe hands they now were; but muſt either have been diſtributed amongſt the proteſtant clergy, who performed all religious offices, or muſt have fallen to the queen, from the bounty of whoſe anceſtors the greater part of them was originally derived. The former ſcheme, however ſuitable to the religious ſpirit of many among the people, was attended with manifold danger. The popiſh eccleſiaſtics had acquired a ſhare in the national property, which far exceeded the proportion that was conſiſtent with the happineſs of the kingdom; and the nobles were determined to guard againſt this evil, by preventing the return of thoſe vaſt poſſeſſions into the hands of the church. Nor was the latter, which expoſed the conſtitution to more imminent hazard, to be avoided with leſs care. Even that circumſcribed prerogative, which the Scottiſh kings poſſeſſed, was the object of jealouſy to the nobles. If they had allowed the crown to ſeize the ſpoils of the church, ſuch an increaſe of power muſt have followed that acceſſion of property, as would have raiſed the royal authority above controul, and have rendered the moſt limited prince in Europe the moſt abſolute and independent. The reign of Henry VIII. preſented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the ſuppreſſion of the monaſteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly ſubmitted to his parliaments and courted his people, dictated from that time to the former with intolerable inſolence, and tyrannized over the latter with unprecedented ſeverity. And if his policy had not been extremely ſhort-ſighted, if he had not ſquandered what he acquired, with a profuſion equal to his rapaciouſneſs, and which defeated his ambition, he might have eſtabliſhed deſpotiſm in England, on a baſis ſo broad and ſtrong, as all the efforts of the ſubjects would never have been able to ſhake. In Scotland, where the riches of the clergy bore as

BOOK III. 1561.

great a proportion to the wealth of the kingdom, the acquiſition of church lands would have been of no leſs importance to the crown, and no leſs fatal to the ariſtocracy. The nobles, for this reaſon, guarded againſt ſuch an increaſe of the royal power, and thereby ſecured their own independence.

AVARICE mingled itſelf with their concern for the intereſt of their order. The re-uniting the poſſeſſions of the church to the crown, or the beſtowing them on the proteſtant clergy, would have been a fatal blow, both to thoſe nobles who had, by fraud or violence, ſeized part of theſe revenues, and to thoſe abbots and priors who had totally renounced their eccleſiaſtical character. But as the plan which was propoſed gave ſome ſanction to their uſurpation, they promoted it with their utmoſt influence. The popiſh eccleſiaſtics, though the lopping off a third of their revenues was by no means agreeable to them, conſented, under their preſent circumſtances, to ſacrifice a part of their poſſeſſions, in order to purchaſe the ſecure enjoyment of the remainder; and after deeming the whole irrecoverably loſt, they conſidered whatever they could retrieve as ſo much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of reſtoring the popiſh religion, they wiſhed their own relations, rather than the crown, or the proteſtant clergy, to be enriched with the ſpoils of the church. They connived, for this reaſon, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and by granting *feus* and perpetual leaſes of lands and tithes, gave, to the utmoſt of their power, ſome colour of legal poſſeſſion to what was formerly mere uſurpation. Many veſtiges of ſuch alienations ſtill remain [q]. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually ſtripped the eccleſiaſtics of their richeſt and moſt valuable poſſeſſions. Even that third part, which was given up in order to ſilence the clamours of the proteſtant clergy, and to be ſome equivalent to the crown for its claims, amounted to no conſiderable ſum. The *thirds* due by the more powerful nobles, eſpecially by ſuch as had embraced the Reformation, were almoſt univerſally remitted. Others, by producing fraudulent rentals; by eſtimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminiſhed the charge againſt themſelves [r]: and the nobles had much reaſon to be

[q] Keith, 507. Spotſw. 175. [r] Keith, Append. 188. Spotſw. 183.

ſatisfied

satisfied with a device which, at so small expence, secured to them such vast possessions.

BOOK III.

Nor were the protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The prior of St. Andrew's, the earl of Argyll, the earl of Morton, and Maitland, all the most zealous leaders of the Congregation, were appointed to assign, or, as it was called, to *modify* their stipends. An hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted[s]. About twenty-four thousand pounds Scottish appears to have been the whole sum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God[t]. Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

1561. The protestant clergy no gainers by it.

The gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while, at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity.

1562. Dissensions among the nobles.

Among the great and independent nobility of Scotland, a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were frequently decided not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in an hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with the same inveterate rancour.

[s] Knox, 301. [t] Keith, Append. 188.

Such

BOOK III. 1562.

Such a diſenſion had ſubſiſted between the houſe of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions[y]. The earl of Arran and Bothwell happening to attend the court at the ſame time, their followers quarrelled frequently in the ſtreets of Edinburgh, and excited dangerous tumults in that city. At laſt, the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both theſe noblemen[z].

February.

A few days after, Arran came to Knox, and, with the utmoſt terror and confuſion, confeſſed firſt to him, and then to the prior of St. Andrew's, that, in order to obtain the ſole direction of affairs, Bothwell, and his kinſmen the Hamiltons, had conſpired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chatelherault regarded the prior as a rival, who had ſupplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himſelf, as firſt prince of the blood. Bothwell, on account of the perſonal injuries which he had received from the prior during the late commotions, was no leſs exaſperated againſt him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conſpiracy exiſted only in the frantic and diſordered imagination of the earl of Arran, it is impoſſible, amidſt the contradiction of hiſtorians and the defectiveneſs of records, poſitively to determine. Among men inflamed with reſentment and impatient for revenge, raſh expreſſions might be uttered, and violent and criminal expedients propoſed; and on that foundation, Arran's diſtempered fancy might rear the whole ſuperſtructure of a conſpiracy. All the perſons accuſed, denied their guilt with the utmoſt confidence. But the known characters of the men, and the violent ſpirit of the age, added greatly to the probability of the accuſation, and abundantly juſtify the conduct of the queen's miniſters, who confined Bothwell, Arran, and a few of the ringleaders, in ſeparate priſons, and obliged the duke to ſurrender the ſtrong caſtle of Dumbarton, which he had held ever ſince the time of his reſigning the office of regent[a].

The earl of Huntly's enmity to the queen's miniſters.

The deſigns of the earl of Huntly againſt the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon earl of Huntly, having been one of the nobles who conſpired againſt James III. and who raiſed his ſon James IV. to the throne, enjoyed

[y] Keith, 215. [z] Knox, 305. [a] Ibid. 307, 308.

a great

a great share in the confidence of that generous prince. By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander the next earl, being appointed lord lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court, and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his *superiorities* and jurisdictions extended over many of the northern counties. With power and possessions so immense, under two long and feeble minorities, and amidst the shock of civil commotions, the earls of Huntly might have indulged the most elevated hopes. But happily for the crown, an active and enterprising spirit was not the characteristic of that family, and whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly, and by force of arms.

BOOK III. 1562.

The conduct of George the present earl, during the late commotions, had been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the lords of the Congregation was uncertain, he assisted the queen regent in her attempts to crush them. When their affairs put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north, and, by artifice and force, which he well knew how to employ alternately, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrew's with the greatest jealousy and concern, and considered him as a rival who had engrossed that share in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The queen having determined to reward the services of the prior of St. Andrew's, by creating him an earl, she made choice of Mar, as the place whence he should take his title; and, that he might be better able to

* Crawf. Officers of State, 56.

BOOK III. support his new honour, beſtowed upon him at the ſame time the lands of that name. Theſe were part of the royal demeſnes [a], but the earls of Huntly had been permitted, for ſeveral years, to keep poſſeſſion of them [b]. On this occaſion the earl not only complained, with ſome reaſon, of the loſs which he ſuſtained, but had real cauſe to be alarmed at the intruſion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppreſſed vaſſals to ſhake off his yoke.

1562. Feb. 1.

June 27. An incident, which happened ſoon after, increaſed and confirmed Huntly's ſuſpicions. Sir John Gordon, his third ſon, and lord Ogilvie, had a diſpute about the property of an eſtate. This diſpute became a deadly quarrel. They happened unfortunately to meet in the ſtreets of Edinburgh, and being both attended with armed followers, a ſcuffle enſued, in which lord Ogilvie was dangerouſly wounded by Sir John. The magiſtrates ſeized both the offenders, and the queen commanded them to be ſtrictly confined. Under any regular government, ſuch a breach of public peace and order would expoſe the perſon offending to certain puniſhment. At this time ſome ſeverity was neceſſary, in order to vindicate the queen's authority from an inſult, the moſt heinous which had been offered to it ſince her return into Scotland. But, in an age accuſtomed to licence and anarchy, even this moderate exerciſe of her power, in ordering them to be kept in cuſtody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vaſſals and dependants, in order to overawe, or to fruſtrate, the deciſions of juſtice [c]. Meanwhile Gordon made his eſcape out of priſon, and flying into Aberdeenſhire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were, at this juncture, imputed to the earl of Mar, this added not a little to the reſentment which Huntly had conceived againſt that nobleman.

Auguſt. At the very time when theſe paſſions fermented, with the utmoſt violence, in the minds of the earl of Huntly and his family, the queen happened to ſet out on a progreſs into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The preſence of the queen, in a country where no name greater than the earl of Huntly's had been heard of, and no power ſuperior to his had been exerciſed, for many years, was an event of itſelf abundantly mortifying to that haughty nobleman. But while the queen was entirely under

a Crawf. Peer. 297. b Buch. 334. c Keith, 223.

the

the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitations of so many violent passions, some eruption was unavoidable.

BOOK III. 1562.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to sooth the queen, and to intercede for pardon to their son. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him.

Sept. 1. MEANTIME, Sir John Gordon set out towards Stirling; but instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes, and to intimidate the hearts, of assassins [d]. Huntly's own house at Strathbogie was the last and most convenient scene appointed for committing the intended violence. But, on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destruction [e].

Take arms against the queen.

THE ill success of these efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impossible to compass their ruin, without violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntly's orders, shut the gates against her. Mary was obliged to lodge in the

[d] Keith, 230. [e] Knox, 318.

BOOK III. 1562. town, which was open and defenceless; but this too was quickly ſurrounded by a multitude of the earl's followers. The utmoſt conſternation ſeized the queen, who was attended by a very ſlender train. She every moment expected the approach of the rebels, and ſome ſhips were already ordered into the river to ſecure her eſcape. The loyalty of the Monroes, Frazers, Mackintoſhes, and ſome neighbouring clans, who took arms in her defence, ſaved her from this danger. By their aſſiſtance, ſhe even forced the caſtle to ſurrender, and inflicted on the governor the puniſhment which his inſolence deſerved.

THIS open act of diſobedience was the occaſion of a meaſure more galling to Huntly than any the queen had hitherto taken. Lord Erſkine having pretended a right to the earldom of Mar, Stewart reſigned it in his favour; and at the ſame time Mary conferred upon him the title of earl of Murray, with the eſtate annexed to that dignity, which had been in the poſſeſſion of the earl of Huntly ſince the year 1548[g]. From this encroachment upon his domains he concluded that his family was devoted to deſtruction; and dreading to be ſtripped gradually of thoſe poſſeſſions which, in reward of their ſervices, the gratitude of the crown had beſtowed on himſelf, or his anceſtors, he no longer diſguiſed his intentions, but, in defiance of the queen's proclamation, openly took arms. Inſtead of yielding thoſe places of ſtrength, which Mary required him to ſurrender, his followers diſperſed or cut in pieces the parties which ſhe diſpatched to take poſſeſſion of them[h]; and he himſelf advancing with a conſiderable body of men towards Aberdeen, to which place the queen was now returned, filled her ſmall court with conſternation. Murray had only a handful of men in whom he could confide[i]. In order to form the appearance of an army, he was obliged to call in the aſſiſtance of the neighbouring barons; but as moſt of theſe either favoured Huntly's deſigns, or ſtood in awe of his power, from them no cordial or effectual ſervice could be expected.

October 28. WITH theſe troops, however, Murray, who could gain nothing by delay, marched briſkly towards the enemy. He found them at Corrichie, poſted to great advantage; he commanded his northern aſſociates inſtantly to begin the attack; but on the firſt motion of the enemy, they treacherouſly turned their backs; and Huntly's followers, throwing aſide their ſpears, and breaking their ranks, drew their ſwords, and ruſhed forward to the purſuit. It was then that Murray

He is defeated by the

[g] Crawf. Officers of State, 87, 88. [i] Keith, 230. [k] Crawf. Peers, 359.
[h] Knox, 319.

gave

gave proof, both of ready courage and of prudent conduct. He stood immoveable on his rising ground, with the small but trusty body of his adherents, who presenting their spears to the enemy, received them with a determined resolution, which they little expected. The Highland broad sword is not a weapon fit to encounter the Scottish spear. In every civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntly's troops was easily repulsed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, those who had begun the flight, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himself, who was extremely corpulent, was trodden to death in the pursuit. His sons, sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

CHAP. III.

1562. earl of Murray.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, sir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial found guilty of treason; but, through the queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb.

As

* This conspiracy of the earl of Huntly is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's Collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the earl of Huntly for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

1. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the earl of Huntly, whose family had resided at court almost ever since the queen's return. Keith, 192. Append. 175. &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power, and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing against Huntly by violence; her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy, one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions

BOOK III.

1562.

As the fall of the earl of Huntly is the moſt important event of this year, it would have been improper to interrupt the narrative by taking notice of leſſer tranſactions, which may now be related with equal propriety.

An interview between Elizabeth and Mary propoſed.

In the beginning of ſummer, Mary, who was deſirous of entering into a more intimate correſpondence and familiarity with Elizabeth, employed Maitland to deſire a perſonal interview with her, ſomewhere in the north of England. As this propoſal could not be rejected with decency, the time, the place, and the circumſtances of the meeting, were inſtantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outſhone herſelf ſo far in beauty and gracefulneſs of perſon; and who excelled ſo eminently in all the arts of inſinuation and addreſs. Under pretence of being confined to London, by the attention which ſhe was obliged to give to the civil wars in France, ſhe put off the interview for that ſeaſon[l], and prevented her ſubjects from ſeeing the Scottiſh queen, the charms of whoſe appearance and behaviour ſhe envied, and had ſome reaſon to dread.

June 2. Decem. 25.

During this year, the aſſembly of the church met twice. In both theſe meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs againſt the negligence or avarice of thoſe who had been appointed to collect and to diſtribute the ſmall fund, appropriated for the maintenance of preachers[m]. A petition, craving redreſs of their grievances, was preſented to the queen; but without any effect. There was no reaſon to expect that Mary would diſcover any forwardneſs to grant the requeſts of ſuch ſup-

mentions his repeated attempts to aſſaſſinate Murray, &c. No hint is given of any previous reſolution, formed by Mary's miniſters, to ruin Huntly and his family. Had any ſuch deſign ever exiſted, it was Randolph's duty to have diſcovered it; nor would Maitland have laboured to conceal it from the Engliſh ſecretary. Keith, 229. 232.

II. To ſuppoſe that the earl of Huntly had laid any plan for ſeizing the queen and her miniſters, ſeems to be no leſs improbable. 1. On the queen's arrival in the north, he laboured, in good earneſt, to gain her favour, and to obtain a pardon for his ſon. Knox, 318. 2. He met the queen, firſt at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any ſuch treaſonable reſolution. Knox, 318. 3. His conduct was irreſolute and wavering, like that of a man diſconcerted by an unforeſeen danger, not like one executing a concerted plan. 4. The moſt conſiderable perſons of his clan ſubmitted to the queen, and found ſurety to obey her commands. Keith, 226. Had the earl been previouſly determined to riſe in arms againſt the queen, or to ſeize her miniſters, it is probable he would have imparted it to his principal followers, nor would they have deſerted him in this manner.

For theſe reaſons we have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other hand, we have imputed the violent conduct of the earl of Huntly to a ſudden ſtart of reſentment, without charging him with any premeditated purpoſe of rebellion.

[l] Keith, 216. [m] Knox, 311. 323.

plicants.

plicants. As her miniſters, though all moſt zealous proteſtants, were themſelves growing rich on the inheritance of the church, they were equally regardleſs of the indigence and demands of their brethren.

1563.

Negotiations with regard to the queen's marriage.

MARY had now continued above two years in a ſtate of widowhood. Her gentle adminiſtration had ſecured the hearts of her ſubjects, who were impatient for her marriage, and wiſhed the crown to deſcend in the right line from their ancient monarchs. She herſelf was the moſt amiable woman of the age, and the fame of her accompliſhments, together with the favourable circumſtance of her having one kingdom already in her poſſeſſion, and the proſpect of mounting the throne of another, prompted many different princes to ſolicit an alliance ſo illuſtrious. Scotland, by its ſituation, threw ſo much weight and power into whatever ſcale it fell, that all Europe waited with ſolicitude for Mary's determination; and no event in that age excited ſtronger political fears and jealouſies; none intereſted more deeply the paſſions of ſeveral princes, or gave riſe to more contradictory intrigues, than the marriage of the Scottiſh queen.

She is ſolicited by different princes.

THE princes of the houſe of Auſtria remembered what vaſt projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, firſt of Henry and then of Francis, had hindered theſe from taking effect, yet if Mary ſhould again make choice of a huſband among the French princes, the ſame deſigns might be revived and proſecuted with better ſucceſs.

By the archduke Charles.

IN order to prevent this, the emperor entered into a negotiation with the cardinal of Lorrain, who had propoſed to marry the Scottiſh queen to the archduke Charles, Ferdinand's third ſon. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and ſituation of the archduke [n].

By Don Carlos of Spain.

PHILIP II. though no leſs apprehenſive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquiſition of ſo important a prize; and as his own inſatiable ambition graſped at all the kingdoms of Europe, he employed his ambaſſador at the French court, to ſolicit the princes of Lorrain in behalf of his ſon Don Carlos, at that time the heir of all the extenſive dominions which belonged to the Spaniſh monarchy [o].

By the duke of Anjou.

CATHERINE of Medicis, on the other hand, dreaded the marriage of the Scottiſh queen with any of the Auſtrian

[n] Melv. 63. 65. Keith, 239. See Append. No. VII.
[o] Caſtaln. 461. Addit. a Labour. 501. 503.

BOOK III. 1563.

princes, which would have added so much to the power and pretensions of that ambitious race. Her jealousy of the princes of Lorrain rendered her no less averse from an alliance which, by securing to them the protection of the emperor or king of Spain, would give new boldness to their enterprising spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance; and as she was afraid that these splendid proposals of the Austrian family would dazzle the young queen, she instantly dispatched Castelnau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former husband, who soon after mounted the throne of France[p].

Mary's deliberations concerning it.

MARY attentively weighed the pretensions of so many rivals. The archduke had little to recommend him, but his high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of her former husband; nor could she bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

THREE several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

THE first of these was the murder of her uncle the duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animosity and various success. At last the duke laid siege to Orleans, the bulwark of the protestant cause; and he had reduced that city to the last extremity, when he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal of Lorrain, though subtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition, or furthering the pretensions, of her daughter-in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such a protector, it became necessary for Mary to contract her views, and to proceed with caution; and whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views of Elizabeth.

THE second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the

[p] Castelnau, 461.

Scottish

Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian princes, the avowed and bigoted patrons of the catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship, in which they were so happily united; so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms: that, in order to preserve their own religion and liberties, they would, in all probability, take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be publicly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of this secret was reserved for some future negotiation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffensive choice[8]. An advice offered with such an air of superiority and command mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend.

The sentiments of her own subjects.

THE inclination of her own subjects was another, and not the least considerable circumstance, which called for

[8] Keith, 242. 245.

BOOK III. 1563.

Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntly, could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already seen and experienced.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

A parliament held, May 26.

The parliament met this year, for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's was confirmed: the earl of Huntly, and several of his vassals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reversed[r]: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgment of its validity; she granted her consent merely in condescension to the lords in parliament, who, on their knees, besought her to allay the jealousies and apprehensions of her subjects, by such a gracious law[s].

Nothing determined with regard to religion;

No attempt was made, in this parliament, to procure the queen's assent to the laws establishing the protestant re-

[r] Knox, 330. [s] Parl. 9. Q. Mary, c. 67. Spotsw. 188.

ligion

ligion. Her miniſters, though zealous proteſtants themſelves, were aware that this could not be urged without manifeſt danger and imprudence. She had conſented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to impriſon and proſecute the archbiſhop of St. Andrew's, and prior of Whithorn, for celebrating maſs contrary to her proclamation. Mary, however, was ſtill paſſionately devoted to the Romiſh church; and though, from political motives, ſhe had granted a temporary protection of opinions which ſhe diſapproved, there were no grounds to hope that ſhe would agree to eſtabliſh them for perpetuity. The moderation of thoſe who profeſſed it, was the beſt method for reconciling the queen to the proteſtant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at laſt ſhe might yield to the wiſhes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be propoſed in parliament; and to defeat all theſe, by ſuch a fruitleſs and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

BOOK III. 1563.

THE zeal of the proteſtant clergy was deaf to all theſe conſiderations of policy. Eager and impatient, it brooked no delay; ſevere and inflexible, it would condeſcend to no compliances. The leading men of that order inſiſted, that this opportunity of eſtabliſhing religion by law, was not to be neglected. They pronounced the moderation of the courtiers, apoſtacy; and their endeavours to gain the queen, they reckoned criminal and ſervile. Knox ſolemnly renounced the friendſhip of the earl of Murray, as a man devoted to Mary, and ſo blindly zealous for her ſervice, as to become regardleſs of thoſe objects which he had hitherto eſteemed moſt ſacred. This rupture, which is a ſtrong proof of Murray's ſincere attachment to the queen at that period, continued above a year and an half [t].

which offends the clergy,

THE preachers being diſappointed by the men in whom they placed the greateſt confidence, gave vent to their indignation in their pulpits. Theſe echoed more loudly than ever, with declarations againſt idolatry; with diſmal preſages concerning the queen's marriage with a foreigner; and with bitter reproaches againſt thoſe who, from intereſted motives, had deſerted that cauſe which they once reckoned it their honour to ſupport. The people, inflamed by ſuch vehement declamations, which were dictated by a zeal more

and occaſions a tumult among the people.

[t] Keith, 239. [u] Knox, 331.

BOOK III.

1563. August.

sincere than prudent, proceeded to rash and unjustifiable acts of violence. During the queen's absence, on a progress into the west, mass continued to be celebrated in her chapel at Holyrood-house. The multitude of those who openly resorted thither, gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled such as were present with the utmost consternation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial[x].

Knox tried on that account, but acquitted. October 8.

Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren[y]. One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy council. Dec. 15. Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents, drawn from their own conduct, that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him, without condemning themselves. After a long hearing, to the astonishment of Lethington and the other courtiers[z], he was unanimously acquitted. Sinclair bishop of Ross, and president of the court of session, a zealous papist, heartily concurred with the other counsellors in this decision[a]; a remarkable fact, which shows the unsettled state of government in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred.

1564. Negotiations with regard to the queen's marriage.

THE marriage of the Scottish queen continued still to be the object of atttention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom

x Knox, 335. y Ibid. 336. z Calderw. MS. Hist. i. 832.
a Knox, 343.

she

ſhe deſtined to be her huſband, without directly mentioning his name; yet Mary framed all her actions to expreſs ſuch a prudent reſpect for the Engliſh queen, that foreign princes began to imagine ſhe had given herſelf up implicitly to her direction [b]. The proſpect of this union alarmed Catherine of Medicis. Though Catherine had taken pleaſure all along in doing ill offices to the queen of Scots, though, ſoon after the duke of Guiſe's death, ſhe had put upon her a moſt mortifying indignity, by ſtopping the payment of her dowry, by depriving her ſubject the duke of Chatelherault of his penſion, and by beſtowing the command of the Scottiſh guards on a Frenchman [c]; ſhe reſolved, however, to prevent this dangerous conjunction of the Britiſh queens. For this purpoſe ſhe now employed all her art to appeaſe Mary [d], to whom ſhe had given ſo many cauſes of offence. The arrears of her dowry were inſtantly paid; more punctual remittances were promiſed for the future; and offers made, not only to reſtore, but to extend the privileges of the Scottiſh nation in France. It was eaſy for Mary to penetrate into the motives of this ſudden change; ſhe well knew the character of her mother-in-law, and laid little ſtreſs upon profeſſions of friendſhip which came from a princeſs of ſuch a falſe and unfeeling heart.

THE negotiation with England, relative to the marriage, ſuffered no interruption from this application of the French queen. As Mary, in compliance with the wiſhes of her ſubjects, and preſſed by the ſtrongeſt motives of intereſt, determined ſpeedily to marry, Elizabeth was obliged to break that unaccountable ſilence which ſhe had hitherto affected. The ſecret was diſcloſed, and her favourite lord Robert Dudley, afterwards earl of Leiceſter, was declared to be the happy man whom ſhe had choſen to be the huſband of a queen courted by ſo many princes [e].

March. Elizabeth recommends Leiceſter to her for a huſband.

ELIZABETH's wiſdom and penetration were remarkable in the choice of her miniſters; in diſtinguiſhing her favourites, thoſe great qualities were leſs conſpicuous. She was influenced in two caſes ſo oppoſite, by merit of very different kinds. Their capacity for buſineſs, their knowledge, their prudence, were the talents to which alone ſhe attended in chuſing her miniſters; whereas beauty and gracefulneſs of perſon, poliſhed manners, and courtly addreſs, were the accompliſhments on which ſhe beſtowed her favour. She acted in the one caſe with the wiſdom of a queen, in the

[b] Keith, 248. [c] Ibid. 244. [d] See Append. No. VIII. [e] Keith, 251.

BOOK III. 1564.

other ſhe diſcovered the weakneſs of a woman. To this Leiceſter owed his grandeur. Though remarkable neither for eminence in virtue nor ſuperiority of abilities, the queen's partiality diſtinguiſhed him on every occaſion. She raiſed him to the higheſt honours, ſhe beſtowed on him the moſt important employments, and manifeſted an affection ſo diſproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence [f].

Mary offended at at this.

THE high ſpirit of the Scottiſh queen could not well bear the firſt overture of a match with a ſubject. Her own rank, the ſplendour of her former marriage, and the ſolicitations at this time of ſo many powerful princes, crowded into her thoughts, and made her ſenſibly feel how humbling and diſreſpectful Elizabeth's propoſal was. She diſſembled, however, with the Engliſh reſident; and though ſhe declared, in ſtrong terms, what a degradation ſhe would deem this alliance, which brought along with it no advantage that could juſtify ſuch neglect of her own dignity, ſhe mentioned the earl of Leiceſter, notwithſtanding, in terms full of reſpect [g].

Elizabeth's views in recommending him.

ELIZABETH, we may preſume, did not wiſh that the propoſal ſhould be received in any other manner. After the extraordinary marks ſhe had given of her own attachment to Leiceſter, and while he was ſtill in the very height of favour, it is not probable ſhe could think ſeriouſly of beſtowing him upon another. It was not her aim to perſuade, but only to amuſe Mary [h]. Almoſt three years were elapſed ſince her return into Scotland; and though ſolicited by her ſubjects, and courted by the greateſt princes in Europe, ſhe had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If at this time the Engliſh queen could have engaged Mary to liſten to her propoſal in favour of Leiceſter, her power over this creature of her own would have enabled her to protract the negotiation at pleaſure; and by keeping her rival unmarried, ſhe would have rendered the proſpect of her ſucceſſion leſs acceptable to the Engliſh.

LEICESTER's own ſituation was extremely delicate and embarraſſing. To gain poſſeſſion of the moſt amiable woman of the age, to carry away this prize from ſo many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a ſubject much more conſiderable than him. He ſaw all theſe advantages, no doubt; and, in ſecret, they made their full impreſſion on

[f] Camden. 549. [g] Keith, 252. [h] Melv. 104, 105.

him.

him. But, without offending Elizabeth, he durſt not venture on the moſt diſtant diſcovery of his ſentiments, or take any ſtep towards facilitating his acquiſition of objects ſo worthy of deſire. BOOK III. 1564.

On the other hand Elizabeth's partiality towards him, which ſhe was at no pains to conceal, might inſpire him with hopes of attaining the ſupreme rank in a kingdom more illuſtrious than Scotland. Elizabeth had often declared that nothing but her reſolution to lead a ſingle life, and his being born her own ſubject, would have hindered her from chuſing the earl of Leiceſter for a huſband. Such conſiderations of prudence are, however, often ſurmounted by love; and Leiceſter might flatter himſelf, that the violence of her affection would at length triumph both over the maxims of policy and the ſcruples of pride. Theſe hopes induced him, now and then, to conclude the propoſal of his marriage with the Scottiſh queen to be a project for his deſtruction; and he imputed it to the malice of Cecil, who, under the ſpecious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary [k].

A TREATY of marriage, propoſed by one queen who dreaded its ſucceſs; liſtened to by another, who was ſecretly determined againſt it; and ſcarcely deſired by the man himſelf, whoſe intereſt and reputation it was calculated, in appearance, to promote; could not, under ſo many unfavourable circumſtances, be brought to a fortunate iſſue. Both Elizabeth and Mary continued, however, to act with equal diſſimulation. The former, notwithſtanding her fears of loſing Leiceſter, ſolicited warmly in his behalf. The latter, though ſhe began about this time to caſt her eyes upon another ſubject of England, did not at once venture finally to reject Elizabeth's favourite.

THE perſon towards whom Mary began to turn her thoughts, was Henry Stewart lord Darnly, eldeſt ſon of the earl of Lennox. That nobleman, having been driven out of Scotland under the regency of the duke of Chatelherault, had lived in baniſhment for twenty years. His wife, lady Margaret Douglas, was Mary's moſt dangerous rival in her claim upon the Engliſh ſucceſſion. She was the daughter of Margaret, the eldeſt ſiſter of Henry VIII. by the earl of Angus, whom that queen married after the death of her huſband James IV. In that age, the right and order of ſucceſſion was not ſettled with the ſame accuracy as at preſent. Time, and the deciſion of almoſt every caſe that can poſſibly happen, Mary entertains thoughts of marrying lord Darnly.

[k] Melv. 93, 94. [k] Ibid. 101.

have

BOOK III. 1564.

have at laſt introduced certainty into a matter, which naturally is ſubject to all the variety ariſing from the caprice of lawyers, guided by obſcure, and often imaginary analogies. The counteſs of Lennox, though born of a ſecond marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter, of Margaret. This was not the only advantage over Mary which the counteſs of Lennox enjoyed. She was born in England, and by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at leaſt of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in the kingdom [l]." This maxim, Hales, an Engliſh lawyer, produced in a treatiſe which he publiſhed at this time, and endeavoured to apply it to the right of ſucceſſion to the crown. In a private cauſe, theſe pretexts might have given riſe to a long and doubtful litigation; where a crown was at ſtake, ſuch nice diſputes and ſubtilties were to be avoided with the utmoſt care. If Darnly ſhould happen to contract an alliance with any of the powerful families in England, or ſhould publicly profeſs the proteſtant religion, theſe plauſible and popular topics might be ſo urged, as to prove fatal to the pretenſions of a foreigner and of a papiſt.

MARY was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correſpondence with the family of Lennox. In the year one thouſand five hundred and ſixty-two [m], both the earl and the lady Margaret were taken into cuſtody by Elizabeth's orders, on account of their holding a ſecret correſpondence with the Scottiſh queen.

Elizabeth ſecretly pleaſed with this.

FROM the time that Mary became ſenſible of the difficulties which would attend her marrying a foreign prince, ſhe entered into a ſtill cloſer connexion with the earl of Lennox [n], and invited him to return into Scotland. This ſhe endeavoured to conceal from Elizabeth; but a tranſaction of ſo much importance did not eſcape the notice of that diſcerning princeſs. She obſerved, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottiſh affairs. She was pleaſed to ſee the pride of the Scottiſh queen ſtoop at laſt to the thoughts of taking a ſubject to her bed. Darnly was in no ſituation to excite her jealouſy or her fears. His father's eſtate lay in England, and by means of this pledge ſhe hoped to keep the negotiation

[l] Carte, Hiſt. of Eng. vol. iii. 422. [m] Camd. 389. [n] Ibid. 396.

entirely

entirely in her own hands, to play the same game of artifice and delay, which she had planned out, if her recommendation of Leicester had been more favourably received.

As before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, she gave him letters, warmly recommending his person and cause to Mary's friendship and protection [o]. But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction; she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two queens [p]. Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's resentment, and felt sensibly the disadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negotiations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconcilement; and soon re-established the appearance, but not the confidence of friendship, which was all that had subsisted for some time between the two queens.

During this negotiation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended, without injustice, to both queens. "There was neither plain dealing, nor upright meaning, but great dissimulation, envy, and fear [q]."

Lennox arrives in Scotland.

Lennox, however, in consequence of the licence which he had obtained, set out for Scotland, and was received by the queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity which could not fail of inspiring him with more

o Keith, 255. 268. p Keith, 253. Melv. 83. q Melv. 104.

BOOK III. 1564.

elevated hopes. The rumour of his ſon's marriage to the queen began to ſpread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future maſter. The duke of Chatelherault was the firſt to take the alarm. He conſidered Lennox as the ancient and hereditary enemy of the houſe of Hamilton; and, in his grandeur, ſaw the ruin of himſelf and his friends. But the queen interpoſed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences [r].

THE powerful family of Douglas no leſs dreaded Lennox's return, from an apprehenſion that he would wreſt the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchaſe their friendſhip, by allowing his lady's claim upon the earldom of Angus to drop [s].

December. AFTER theſe preliminary ſteps, Mary ventured to call a meeting of parliament. The act of forfeiture paſſed againſt Lennox in the year one thouſand five hundred and forty-five was repealed, and he was publicly reſtored to the honours and eſtate of his anceſtors [t].

June 25. Dec. 25. The clergy ſuſpicious of the queen's zeal for popery.

THE eccleſiaſtical tranſactions of this year were not conſiderable. In the aſſemblies of the church, the ſame complaints of the increaſe of idolatry, the ſame repreſentations concerning the poverty of the clergy, were renewed. The reply which the queen made to theſe, and her promiſes of redreſs, were more ſatisfying to the proteſtants than any they had hitherto obtained [u]. But, notwithſtanding her declarations in their favour, they could not help harbouring many ſuſpicions concerning Mary's deſigns againſt their religion. She had never once conſented to hear any preacher of the reformed doctrine. She had abated nothing of her bigotted attachment to the Romiſh faith. The genius of that ſuperſtition, averſe at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated aſſurances of her reſolution to re-eſtabliſh the catholic church [x]. She had induſtriouſly avoided every opportunity of ratifying the acts of parliament one thouſand five hundred and ſixty, in favour of the Reformation. Even the protection which, ever ſince her return, ſhe had afforded the proteſtant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till ſhe ſhould take ſome final order in the mat-

[r] Keith, 259. [s] Ibid. 268. Note (b). [t] See Append. No. IX.
[u] Keith, 533. 539. [x] Carte, vol. iii. 415.

ter

ter of religion[y]." The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed suitable to the necessity of the times, and which the queen reckoned disrespectful and insolent. In a meeting of the general assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the right of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to subtlety; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear[z].

BOOK III. 1564.

Two years had already been consumed in fruitless negotiations concerning the marriage of the Scottish queen. Mary had full leisure and opportunity to discern the fallacy and deceit of all Elizabeth's proceedings with respect to that affair. But, in order to set the real intentions of the English queen in a clear light, and to bring her to some explicit declaration of her sentiments, Mary at last intimated to Randolph, that, on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the solicitations of his mistress in behalf of Leicester[a]. Nothing could be farther than this from the mind and intention of Elizabeth. The right of succession was a mystery, which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised, however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

1565. Feb. 5. Dissimulation both of Elizabeth and Mary, with regard to her marriage.

The facility with which lord Darnly obtained permission to visit the court of Scotland, was owing, in all probability, to that embarrassment. From the time of Melvil's embassy, the countess of Lennox had warmly solicited this liberty for her son. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers of the sen-

[y] Keith, 504. 510. [z] Knox, 349. [a] Keith, 269.

timents

BOOK III. 1565.

timents which Mary began to entertain in his favour [b]. It was entirely in her power to prevent his ſtirring out of London. In the preſent conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the ſtage, who, under her management, had, for a long time, amuſed the Scottiſh queen. She hoped, no leſs abſolutely, to direct the motions of Darnly, who was likewiſe her ſubject; and again to involve Mary in all the tedious intricacies of negotiation. Theſe motives determined Elizabeth and her miniſters to yield to the ſolicitations of the counteſs of Lennox.

Darnly arrives in Scotland.

BUT this deep-laid ſcheme was in a moment diſconcerted. Such unexpected events, as the fancy of poets aſcribes to love, are at ſometimes really produced by that paſſion. An affair which had been the object of ſo many political intrigues, and had moved and intereſted ſo many princes, was at laſt decided by the ſudden liking of two young perſons. Lord Darnly was at this time in the firſt bloom and vigour of youth. In beauty and gracefulneſs of perſon he ſurpaſſed all his cotemporaries; he excelled eminently in ſuch arts as add eaſe and elegance to external form, and which enabled it not only to dazzle, but to pleaſe. Mary was of an age, and of a temper, to feel the full power of theſe accompliſhments. The impreſſion which lord Darnly made upon her was viſible from the time of their firſt interview. The whole buſineſs of the court was to amuſe and entertain this illuſtrious gueſt [c]; and in all thoſe ſcenes of gaiety, Darnly, whoſe qualifications were altogether ſuperficial and ſhowy, appeared to great advantage. His conqueſt of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the firſt thoughts of which had been ſuggeſted by conſiderations merely political.

Gains the queen's heart.

Feb. 13.

ELIZABETH contributed, and perhaps not without deſign, to increaſe the violence of this paſſion. Soon after Darnly's arrival in Scotland, ſhe, in return to that meſſage whereby Mary had ſignified her willingneſs to accept of Leiceſter, gave an anſwer, in ſuch terms as plainly unravelled her original intention in that intrigue [d]. She promiſed, if the Scottiſh queen's marriage with Leiceſter ſhould take place, to advance him to great honours; but with regard to Mary's title to the Engliſh ſucceſſion, ſhe would neither ſuffer any legal inquiry to be made concerning it, nor permit it to be publicly recogniſed, until ſhe herſelf ſhould declare her reſo-

[b] Keith, 259. 261. 266. [c] Knox, 369. [d] Keith, 270. App. 158.

lution

lution never to marry. Notwithſtanding Elizabeth's former promiſes, Mary had reaſon to expect every thing contained in this reply; her high ſpirit, however, could not bear with patience ſuch a cruel diſcovery of the contempt, the artifice, and mockery, with which, under the veil of friendſhip, ſhe had been ſo long abuſed. She burſt into tears of indignation, and expreſſed, with the utmoſt bitterneſs, her ſenſe of that diſingenuous craft which had been employed to deceive her [e].

1565.

The natural effect of this indignation was to add to the impetuoſity with which ſhe purſued her own ſcheme. Blinded by reſentment as well as by love, ſhe obſerved no defects in the man whom ſhe had choſen, and began to take the neceſſary ſteps towards accompliſhing her deſign, with all the impatience natural to thoſe paſſions.

As Darnly was ſo nearly related to the queen, the canon law made it neceſſary to obtain the pope's diſpenſation before the celebration of the marriage. For this purpoſe ſhe early ſet on foot a negotiation with the court of Rome [f].

She was buſy, at the ſame time, in procuring the conſent of the French king and his mother. Having communicated her deſign, and the motives which determined her choice, to Caſtelnau the French ambaſſador, ſhe employed him, as the moſt proper perſon, to bring his court to fall in with her views. Among other arguments to this purpoſe, Caſtelnau mentioned Mary's attachment to Darnly, which he repreſented to be ſo violent and deep-rooted, that it was no longer in her own power to break off the match [g]. Nor were the French miniſters backward in encouraging Mary's paſſion. Her pride would never ſtoop to an alliance with a ſubject of France. By this choice they were delivered from the apprehenſion of a match with any of the Auſtrian princes, as well as the danger of too cloſe an union with Elizabeth; and as Darnly profeſſed the Roman catholic religion, this ſuited the bigotted ſchemes which that court adopted.

The French court approve of the match.

While Mary was endeavouring to reconcile foreign courts to a meaſure which ſhe had ſo much at heart, Darnly and his father, by their behaviour, were raiſing up enemies at home to obſtruct it. Lennox had, during the former part of his life, diſcovered no great compaſs of abilities or political wiſdom; and appears to have been a man of a weak underſtanding and violent paſſions. Darnly was not ſuperior to his father in underſtanding, and all his paſſions were ſtill

Darnly diſguſts ſeveral of the nobles,

[e] Keith, Append. 159. [f] Camd. 396. [g] Caſteln. 464.

more

BOOK III. 1565.

more impetuous [h]. To theſe he added that inſolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inſpire. Intoxicated with the queen's favour, he began already to aſſume the haughtineſs of a king, and to put on that imperious air, which majeſty itſelf can ſcarce render tolerable.

particularly Murray.

IT was by the advice, or at leaſt with the conſent of Murray and his party, that Lennox had been invited into Scotland [i]: and yet, no ſooner did he acquire a firm footing in that kingdom, than he began to enter into ſecret cabals with thoſe noblemen who were known to be avowed enemies to Murray, and with regard to religion, to be either neutrals or favourites of popery [k]. Darnly, ſtill more imprudent, allowed ſome raſh expreſſions concerning thoſe favours which the queen's bounty had conferred upon Murray, to eſcape him [l].

BUT, above all theſe, the familiarity which Darnly cultivated with David Rizio, contributed to increaſe the ſuſpicion and diſguſt of the nobles.

The riſe of Rizio's favour.

THE low birth and indigent condition of this man placed him in a ſtation in which he ought naturally to have remained unknown to poſterity. But what fortune called him to act and to ſuffer in Scotland, obliges hiſtory to deſcend from its dignity, and to record his adventures. He was the ſon of a muſician in Turin, and having accompanied the Piedmonteſe ambaſſador into Scotland, gained admiſſion into the queen's family by his ſkill in muſic. As his dependant condition had taught him ſuppleneſs of ſpirit and inſinuating manners, he quickly crept into the queen's favour, and her French ſecretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of conſequence. The whole train of ſuitors and expectants, who have an extreme ſagacity in diſcovering the paths which lead moſt directly to ſucceſs, applied to him. His recommendations were obſerved to have great influence over the queen, and he grew to be conſidered not only as a favourite, but as a miniſter. Nor was Rizio careful to abate that envy which always attends ſuch an extraordinary and rapid change of fortune. He ſtudied, on the contrary, to diſplay the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greateſt and moſt opulent ſubjects, in richneſs of dreſs, and in the number of his attendants. He diſcovered, in all his beha-

[h] Keith, 272, 273.
[k] Keith, 272.
[i] Knox, 367. Keith, 274.
[l] Keith, 274.

viour,

1563.

viour, that aſſuming inſolence, with which unmerited proſperity inſpires an ignoble mind. It was with the utmoſt indignation that the nobles beheld the power; it was with the utmoſt difficulty that they tolerated the arrogance of this unworthy minion. Even in the queen's preſence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exaſperated the Scots. They conſidered him, and not without reaſon, as a dangerous enemy to the proteſtant religion, and ſuſpected that he held, for this purpoſe, a ſecret correſpondence with the court of Rome [m].

Darnly's connexion with him.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and aſſiduity, eaſily gained on his vanity and unexperience. Rizio's whole influence on the queen was employed in his behalf, and contributed, without doubt, towards eſtabliſhing him more firmly in her affections [n]. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was expoſed, on account of his familiarity with ſuch an upſtart.

Though Darnly daily made progreſs in the queen's affections, ſhe conducted herſelf, however, with ſuch prudent reſerve, as to impoſe on Randolph the Engliſh reſident, a man otherwiſe ſhrewd and penetrating. It appears from his letters at this period, that he entertained not the leaſt ſuſpicion of the intrigue which was carrying on; and gave his court repeated aſſurances, that the Scottiſh queen had no deſign of marrying Darnly [o]. In the midſt of this ſecurity, Mary diſpatched Maitland to ſignify her intention to Elizabeth, and to ſolicit her conſent to the marriage with Darnly. This embaſſy was the firſt thing which opened the eyes of Randolph.

April 18. Elizabeth declares againſt the queen's marriage with Darnly.

Elizabeth affected the greateſt ſurpriſe at this ſudden reſolution of the Scottiſh queen, but without reaſon. The train was laid by herſelf, and ſhe had no cauſe to wonder when it took effect. She expreſſed at the ſame time her diſapprobation of the match, in the ſtrongeſt terms; and pretended to foreſee many dangers and inconveniencies ariſing from it, to both kingdoms. But this too was mere affectation. Mary had often and plainly declared her reſolution to marry. It was impoſſible ſhe could make any choice more inoffenſive. The danger of introducing a foreign intereſt into Britain, which Elizabeth had ſo juſtly dreaded, was entirely avoided. Darnly, though allied to both crowns,

[m] Buchan. 340. Melv. 107. [n] Melv. 111. [o] Keith, 273, and Append. 139.

BOOK III. 1565.

and poſſeſſed of lands in both kingdoms, could be formidable to neither. It is evident from all theſe circumſtances, that Elizabeth's apprehenſions of danger could not poſſibly be ſerious; and that in all her violent declarations againſt Darnly, there was much more of grimace than of reality [p].

THERE were not wanting, however, political motives of ſuch weight, to induce that wiſe princeſs to put on the appearance of great diſpleaſure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth deſired to obſtruct with a weakneſs that little ſuited the dignity of her mind and the elevation of her character. Beſides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her diſſatisfaction with Mary's conduct, ſhe hoped to alarm that party in Scotland, which was attached to the Engliſh intereſt, and to encourage ſuch of the nobles as ſecretly diſapproved the match openly to oppoſe it. The ſeeds of diſcord would by this means be ſcattered through that kingdom. Inteſtine commotions might ariſe. Amidſt theſe Mary could form none of thoſe dangerous ſchemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottiſh queen and her contending ſubjects; and England might look on with ſecurity, while a ſtorm, which ſhe had raiſed, waſted the only kingdom which could poſſibly diſturb its peace.

May 1. IN proſecution of this ſcheme, ſhe laid before her privy council the meſſage from the Scottiſh queen, and conſulted them with regard to the anſwer ſhe ſhould return. Their determination, it is eaſy to conceive, was perfectly conformable to her ſecret views. They drew up a remonſtrance againſt the intended match, full of the imaginary dangers with which that event threatened the kingdom [q]. Nor did ſhe think it enough, to ſignify her diſapprobation of the meaſure, either by Maitland, Mary's ambaſſador, or by Randolph, her own reſident in Scotland; in order to add more dignity to the farce which ſhe choſe to act, ſhe appointed ſir Nicholas Throgmorton her ambaſſador extraordinary. She commanded him to declare, in the ſtrongeſt terms, her diſſatisfaction with the ſtep which Mary propoſed to take; and

Sends Throgmorton to obſtruct it.

[p] Even the hiſtorians of that age acknowledge, that the marriage of the Scottiſh queen with a ſubject was far from being diſagreeable to Elizabeth. Knox, 369. 373. Buchan. 339. Caſtelnau, who at that time was well acquainted with the intrigues of both the Britiſh courts, aſſerts, upon grounds of great probability, that the match was wholly Elizabeth's own work: Caſtelu. 462. and that ſhe rejoiced at the accompliſhment of it, appears from the letters of her own ambaſſadors. Keith, 280. 288.

[q] Keith, 274. See Append. No. X.

at

at the ſame time to produce the determination of the privy council, as an evidence that the ſentiments of the nation were not different from her own. Not long after, ſhe confined the counteſs of Lennox as a priſoner, firſt in her houſe, and then ſent her to the Tower [r]. BOOK III. 1565.

INTELLIGENCE of all this reached Scotland before the arrival of the Engliſh ambaſſador. In the firſt tranſports of her indignation, Mary reſolved no longer to keep any meaſures with Elizabeth; and ſent orders to Maitland, who accompanied Throgmorton, to return inſtantly to the Engliſh court, and in her name to declare to Elizabeth, that after having been amuſed ſo long to ſo little purpoſe; after having been fooled, and impoſed on ſo groſsly by her artifices; ſhe was now reſolved to gratify her own inclination, and to aſk no other conſent, but that of her own ſubjects, in the choice of an huſband. Maitland, with his uſual ſagacity, foreſaw all the effects of ſuch a raſh and angry meſſage, and ventured rather to incur the diſpleaſure of his miſtreſs, by diſobeying her commands, than to be made the inſtrument of tearing aſunder ſo violently the few remaining ties which ſtill linked together the two queens [s].

MARY herſelf ſoon became ſenſible of her error. She received the Engliſh ambaſſador with reſpect; juſtified her own conduct with decency; and though unalterable in her reſolution, ſhe affected a wonderful ſolicitude to reconcile Elizabeth to the meaſure; and even pretended, out of complaiſance towards her, to put off the conſummation of the marriage for ſome months [t]. It is probable, however, that the want of the pope's diſpenſation, and the proſpect of gaining the conſent of her own ſubjects, were the real motives of this delay.

THIS conſent Mary laboured with the utmoſt induſtry to obtain. The earl of Murray was the perſon in the kingdom, whoſe concurrence was of the greateſt importance; but ſhe had reaſon to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be eſtranged from him. Darnly, Athol, Rizio, all the court favourites, combined againſt him. His ambitious ſpirit could not brook this diminution of his power, which his former ſervices had ſo little merited. He retired into the country, and gave way to rivals, with whom he was unable to contend [u]. The return of the earl of Bothwell, his avowed enemy, who had been accuſed of a deſign Murray's averſion to Darnly.

[r] Keith, Append. 161. [s] Ibid. 160. [t] Keith, 278.
[u] Keith, 272. 274. Append. 159.

BOOK III. 1565.

upon his life, and who had reſided for ſome time in foreign countries, obliged him to attend to his own ſafety. No intreaty of the queen could perſuade him to a reconcilement with that nobleman. He inſiſted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durſt not appear in oppoſition to a man, who came to the place of trial attended by five thouſand of his followers on horſeback. He was once more conſtrained to leave the kingdom; but, by the queen's command, the ſentence of outlawry, which is incurred by non-appearance, was not pronounced againſt him [x].

May 8. MARY, ſenſible, at the ſame time, of how much importance it was to gain a ſubject ſo powerful and ſo popular as the earl of Murray, invited him back to court, and received him with many demonſtrations of reſpect and confidence. At laſt ſhe deſired him to ſet an example to her other ſubjects by ſubſcribing a paper, containing a formal approbation of her marriage with Darnly. Murray had many reaſons to heſitate, and even to withhold his aſſent. Darnly had not only undermined his credit with the queen, but diſcovered, on every occaſion, a rooted averſion to his perſon. By conſenting to his elevation to the throne, he would give him ſuch an acceſſion of dignity and power, as no man willingly beſtows on an enemy. The unhappy conſequences which might follow upon a breach with England were likewiſe of conſiderable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the ſyſtem of national politics had been brought about. A league with England had been eſtabliſhed; and he could not think of ſacrificing, to a raſh and youthful paſſion, an alliance of ſo much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain [y]. Nor was the intereſt of religion forgotten on this occaſion. Mary, though ſurrounded by proteſtant counſellors, had found means to hold a dangerous correſpondence with foreign catholics. She had even courted the pope's protection, who had ſent her a ſubſidy of eight thouſand crowns [z]. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to ſet the queen's conduct in the moſt favourable light, yet her obſtinate adherence to her own religion could not fail of alarming him, and by her reſolution to marry a papiſt, the hope of reclaiming her, by an union with a proteſtant, was

x Keith, Append. 160. y Keith, 169. z Ibid. 295. Melv. 114.

for

for ever cut off [a]. Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's request.

1565. May 14. A convention of the nobles approves of the marriage.

The Convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influenced by his example to refuse their consent, another Convention was appointed at Perth, in order to deliberate more fully concerning this matter [b].

Meanwhile Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive, to the influence of witchcraft [c]. It was owing, however, to no other charm, than the irresistible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven, happening to be the first person who informed him that Mary, in order to sooth Elizabeth, had delayed for some time creating him duke of Albany, he, in a frenzy of rage, drew his dagger, and attempted to stab him [d]. It required all Mary's attention, to prevent his falling under that contempt to which such behaviour deservedly exposed him.

Mary's address in gaining her subjects.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour [e]. She even condescended to court the protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the protestants and papists, and went so far as to shew some desire to hear such

[a] Keith, Append. 160. [b] Keith, 283. Knox, 373. [c] Keith, 283.
[d] Ibid. Append. 160. [e] Keith, 283.

BOOK III. 1565.

of their preachers as were moſt remarkable for their moderation [f]. By theſe arts the queen gained wonderfully upon the people, who, unleſs their jealouſy be raiſed by repeated injuries, are always ready to view the actions of their ſovereign with an indulgent eye.

On the other hand, Murray and his aſſociates were plainly the dupes of Elizabeth's policy. She talked in ſo high a ſtrain of her diſpleaſure at the intended match; ſhe treated lady Lennox with ſo much rigour; ſhe wrote to the Scottiſh queen in ſuch ſtrong terms; ſhe recalled the earl of Lennox and his ſon in ſuch a peremptory manner, and with ſuch ſevere denunciations of her vengeance if they ſhould preſume to diſobey [g]; that all theſe expreſſions of averſion fully perſuaded them of her ſincerity. This belief fortified their ſcruples with reſpect to the match, and encouraged them to oppoſe it. They began with forming among themſelves bonds of confederacy and mutual defence; they entered into a ſecret correſpondence with the Engliſh reſident, in order to ſecure Elizabeth's aſſiſtance when it ſhould become needful [h]; they endeavoured to fill the nation with ſuch apprehenſions of danger, as might counterbalance the influence of thoſe arts which the queen had employed.

Schemes of Darnly and Murray againſt each other.

Besides theſe intrigues, there were ſecretly carried on, by both parties, dark deſigns of a more criminal nature, and more ſuited to the ſpirit of the age. Darnly, impatient of that oppoſition, which he imputed wholly to Murray, and reſolving at any rate to get rid of ſuch a powerful enemy, formed a plot to aſſaſſinate him, during the meeting of the Convention at Perth. Murray, on his part, deſpairing of preventing the marriage by any other means, had, together with the duke of Chatelherault, and the earl of Argyll, concerted meaſures for ſeizing Darnly, and carrying him a priſoner into England.

If either of theſe conſpiracies had taken effect, this Convention might have been attended with conſequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of thoſe againſt whom they were formed. Murray, being warned of his danger by ſome retainers to the court, who ſtill favoured his intereſt, avoided the blow by not going to Perth. Mary, receiving intelligence of Murray's enterpriſe, retired with the utmoſt expedition, along with Darnly, to the other ſide of Forth. Conſcious, on both ſides, of guilt, and inflamed with reſentment, it was impoſſible they could either forget the

[f] Knox, 373. [g] Keith, 285, 286. [h] Ibid. 289. 291. 298.

violence

violence which themſelves had meditated, or forgive the injuries intended againſt them. From that moment all hope of reconcilement was at an end, and their mutual enmity burſt out with every ſymptom of implacable hatred[1]. On

BOOK III. 1565.

[1] The reality of theſe two oppoſite conſpiracies has given occaſion to many diſputes and much contradiction. Some deny that any deſign was formed againſt the life of Murray; others call in queſtion the truth of the conſpiracy againſt Darnly. There ſeem, however, to be plauſible reaſons for believing that there is ſome foundation for what has been aſſerted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumſtances. The following arguments render it probable that ſome violence was intended againſt Murray: I. This is poſitively aſſerted by Buchanan, 341. 2. The Engliſh reſident writes to Cecil, that Murray was aſſuredly informed that a deſign was formed of murdering him at Perth, and mentions various circumſtances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impoſſible that he could have written in this ſtrain to ſuch a diſcerning miniſter. Keith, 287. 3. Murray himſelf conſtantly and publicly perſiſted in affirming that ſuch a deſign was formed againſt his life. Keith, App. 108. He was required by the queen to tranſmit in writing an account of the conſpiracy which he pretended had been formed againſt his life. This he did accordingly; but "when it was brought to her Majeſty by her ſervants ſent for that purpoſe, it appears to her highneſs and her council, that his purgation in that behalf was not ſo ſufficient as the matter required." Keith, App. 109. He was therefore ſummoned to appear within three days before the queen in Holyrood-houſe; and in order to encourage him to do ſo, a ſafe conduct was offered to him. Ibid. Though he had once conſented to appear, he afterwards declined to do ſo. But whoever conſiders Murray's ſituation, and the character of thoſe who directed Mary's councils at that time, will hardly deem it a deciſive proof of his guilt, that he did not chuſe to riſk his perſon on ſuch ſecurity. 4. The furious paſſions of Darnly, the fierceneſs of his reſentment, which ſcrupled at no violence, and the manners of the age, render the imputation of ſuch a crime leſs improbable.

II. That Murray and his aſſociates had reſolved to ſeize Darnly in his return from Perth, appears with ſtill greater certainty; 1. From the expreſs teſtimony of Melvil, 112.; although Buchanan, p. 341. and Knox, p. 377. affect, without reaſon, to repreſent this as an idle rumour. 2. The queſtion was put to Randolph, Whether the governor of Berwick would receive Lennox and his ſon, if they were delivered at that place? His anſwer was, "that they would not refuſe their own, i. e. their own ſubjects, in whatſoever ſort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly ſhews, that ſome ſuch deſign was in hand, and Randolph did not diſcourage it by the anſwer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reaſon ſhe gave for this ſudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottiſh nobles, and among theſe the earls of Argyll and Rothes, who were themſelves privy to the deſign, aſſert the reality of the conſpiracy. Good. vol. ii. 358.

All theſe circumſtances render the truth of both conſpiracies probable. But we may obſerve how far this proof, though drawn from public records, falls ſhort, on both ſides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conſpiracy againſt Murray, differ widely in almoſt every circumſtance. The accounts of the attempt upon Darnly are not more conſiſtent. Melvil alleges, that the deſign of the conſpirators was to carry Darnly a priſoner into England; the propoſal made to Randolph agrees with this. Randolph ſays, that they intended to carry the queen to St. Andrew's, and Darnly to Caſtle Campbell. The lords, in their declaration, affirm the deſign of the conſpirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to uſurp the government. To believe implicitly whatever they find

BOOK III.

1565.

Mary ſummons her vaſſals to take arms againſt Murray.

ON Mary's return to Edinburgh, ſhe ſummoned her vaſſals by proclamation, and ſolicited them by her letters, to repair thither in arms, for the protection of her perſon againſt her foreign and domeſtic enemies[k]. She was obeyed with all the promptneſs and alacrity with which ſubjects run to defend a mild and popular adminiſtration. This popularity, however, ſhe owed in a great meaſure to Murray, who had directed her adminiſtration with great prudence. But the crime of oppoſing her marriage obliterated the memory of his former ſervices; and Mary, impatient of contradiction, and apt to conſider thoſe who diſputed her will, as enemies to her perſon, determined to let him feel the whole weight of her vengeance. For this purpoſe ſhe ſummoned him to appear before her upon a ſhort warning, to anſwer to ſuch things as ſhould be laid to his charge[l]. At this very time Murray, and the lords who adhered to him, were aſſembled at Stirling, to deliberate what courſe they ſhould hold in ſuch a difficult conjuncture. But the current of popular favour ran ſo ſtrongly againſt them, and notwithſtanding ſome fears and jealouſies, there prevailed in the nation ſuch a general diſpoſition to gratify the queen in a matter which ſo nearly concerned her, that, without coming to any other concluſion, than to implore the queen of England's protection, they put an end to their ineffectual conſultations, and returned every man to his own houſe.

TOGETHER with this diſcovery of the weakneſs of her enemies, the confluence of her ſubjects from all corners of the kingdom afforded Mary an agreeable proof of her own ſtrength. While the queen was in this proſperous ſituation, ſhe determined to bring to a period an affair which had ſo long engroſſed her heart and occupied her attention. On the twenty-ninth of July, ſhe married lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romiſh church; the pope's bull diſpenſing with

Celebrates her marriage with Darnly.

in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the ſlanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things aſſerted in it, are evidently falſe or exaggerated. Let Murray and his confederates be as ambitious as we can ſuppoſe, they muſt have had ſome pretences, and plauſible ones too, before they could venture to impriſon their ſovereign for life, and to ſeize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuſe for proceeding to ſuch extremities. It is likewiſe remarkable, that in all the proclamations againſt Murray, of which ſo many are publiſhed in Keith, Appendix 108, &c. neither the violent attempt upon Darnly, nor that which he is alleged to have formed againſt the queen herſelf, are ever once mentioned.

[k] Keith, 293. [l] Keith, Append. 108.

their

their marriage having been previously obtained [m]. She issued at the same time proclamations, conferring the title of king of Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen [n]. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to chuse a husband without consent of parliament, was, in that age, a matter of some dispute [o]; that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II. indeed, bore the same title. It was not, however, the gift of the queen, but of the nation; and the consent of parliament was obtained, before he ventured to assume it. Darnly's condition, as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malecontents, no symptoms of general discontent appeared on that account.

BOOK III. 1565.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and upon his non-appearance the rigour of justice took place, and he was declared an out-law [p]. At the same time the queen set at liberty lord Gordon, who, ever since his father's insurrection in the year one thousand five hundred and sixty-two, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families and the author of their own sufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain

[m] Keith, 307. [n] Anderson, i. 33. See Append. No. XI.
[o] Buchan. 341. [p] Keith, 309, 310.

indication

BOOK III.

indication than any meaſure ſhe had yet taken, of her inexorable reſentment.

1565. Marches againſt Murray and his aſſociates.

THE malecontents had not yet openly taken up arms [q]. But the queen having ordered her ſubjects to march againſt them, they were driven to the laſt extremity. They found themſelves unable to make head againſt the numerous forces which Mary had aſſembled; and fled into Argyleſhire, in expectation of aid from Elizabeth, to whom they had ſecretly diſpatched a meſſenger, in order to implore her immediate aſſiſtance [r].

Elizabeth interpoſes in their favour.

MEANWHILE, Elizabeth endeavoured to embarraſs Mary, by a new declaration of diſguſt at her conduct. She blamed both her choice of Lord Darnly, and the precipitation with which ſhe had concluded the marriage. She required Lennox and Darnly, whom ſhe ſtill called her ſubjects, to return into England; and at the ſame time ſhe warmly interceded in behalf of Murray, whoſe behaviour ſhe repreſented to be not only innocent but laudable. This meſſage, ſo mortifying to the pride of the queen, and ſo full of contempt for her huſband, was rendered ſtill more inſupportable by the petulant and ſaucy demeanour of Tamworth, the perſon who delivered it [s]. Mary vindicated her own conduct with warmth, but with great ſtrength of reaſon; and rejected the interceſſion in behalf of Murray, not without ſigns of reſentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom [t].

SHE did not, on that account, intermit in the leaſt the ardour with which ſhe purſued Murray and his adherents [u]. They now appeared openly in arms; and having received a ſmall ſupply in money from Elizabeth [x], were endeavouring to raiſe their followers in the weſtern counties. But Mary's vigilance hindered them from aſſembling in any conſiderable body. All her military operations at that time were concerted with wiſdom, executed with vigour, and attended with ſucceſs. In order to encourage her troops, ſhe herſelf marched along with them, rode with loaded piſtols [y], and endured

[q] After their fruitleſs conſultation in Stirling, the lords retired to their own houſes. Keith, 304. Murray was ſtill at St. Andrew's on July 22. Keith, 306. By the places of rendezvous, appointed for the inhabitants of the different counties, Auguſt 4, it appears that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldi, and other chiefs of the malecontents reſided. Keith, 310. Their flight into the weſt, Keith, 312. prevented this expedition, and the former rendezvous was altered. Keith, 310.

[r] Keith, 312. Knox, 380. [s] Camb. 398. [t] Keith, Append. 99.

[u] The moſt conſiderable perſons who joined Murray, were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes; lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pittarrow, Cumpreller, and the tutor of Pitcur. Knox, 382.

[x] Knox, 380. [y] Keith, Append. 164.

dured all the fatigues of war with admirable fortitude. Her alacrity inſpired her forces with an invincible reſolution, which, together with their ſuperiority in number, deterred the malecontents from facing them in the field; but having artfully paſſed the queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouſe the inhabitants of that city to arms. The queen did not ſuffer them to remain long unmoleſted; and on her approach, they were forced to abandon that place, and retire in confuſion towards the weſtern borders [z]. BOOK III. 1565. Auguſt 31.

As it was uncertain, for ſome time, what route they had taken, Mary employed that interval in providing for the ſecurity of the counties in the heart of the kingdom. She ſeized the places of ſtrength which belonged to the rebels; and obliged the conſiderable barons in thoſe ſhires which ſhe moſt ſuſpected, to join in aſſociations for her defence [a]. Having thus left all the country behind her in tranquillity, ſhe, with an army eighteen thouſand ſtrong, marched towards Dumfries, where the rebels then were. During their retreat, they had ſent letters to the queen, from almoſt every place where they halted, full of ſubmiſſion, and containing various overtures towards an accommodation. But Mary, who determined not to let ſlip ſuch a favourable opportunity of cruſhing the mutinous ſpirit of her ſubjects, rejected them with diſdain. As ſhe advanced, the malecontents retired. And, having received no effectual aid from Elizabeth [b], they deſpaired of any other means of ſafety, fled into England, and put themſelves under the protection of the earl of Bedford, warden of the marches. They are obliged to retire into England. Oct. 20.

NOTHING, which Bedford's perſonal friendſhip for Murray could ſupply, was wanting to render their retreat agreeable. But Elizabeth herſelf treated them with extreme neglect. She had fully gained her end, and, by their means, had excited ſuch diſcord and jealouſies among the Scots, as would, in all probability, long diſtract and weaken Mary's councils. Her buſineſs now was to ſave appearances, and to juſtify herſelf to the miniſters of France and Spain, who accuſed her of fomenting the troubles in Scotland by her intrigues. The expedient ſhe contrived for her vindication ſtrongly diſplays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray and Hamilton, abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, inſtead of meeting with that welcome reception which was due They meet with unexpected ill-treatment from Elizabeth.

[z] Keith, Append. 315. [a] Ibid. 113. [b] See Append. No. XII. XIII.

to

BOOK III. 1565.

to men, who, out of confidence in her promiſes, and in order to forward her deſigns, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly conſented to acknowledge, in the preſence of the French and Spaniſh ambaſſadors, that Elizabeth had given them no encouragement to take arms. No ſooner did they make this declaration, than ſhe aſtoniſhed them with this reply: "You have declared the truth; I am far from ſetting an example of rebellion to my own ſubjects, by countenancing thoſe who rebel againſt their lawful prince. The treaſon, of which you have been guilty, is deteſtable; and as traitors I baniſh you from my preſence[c]." Notwithſtanding this ſcene of farce and of falſehood, ſo diſhonourable to all the perſons who acted a part in it, Elizabeth permitted the malecontents peaceably to reſide in her dominions, ſupplied them ſecretly with money, and renewed her interceſſion with the Scottiſh queen in their favour[d].

THE advantage ſhe had gained over them did not ſatisfy Mary; ſhe reſolved to follow the blow, and to prevent a party, which ſhe dreaded, from ever recovering any footing in the nation. With this view ſhe called a meeting of parliament; and in order that a ſentence of forfeiture might be legally pronounced againſt the baniſhed lords, ſhe ſummoned them, by public proclamation, to appear before it[e].

Dec. 1. THE duke of Chatelherault, on his humble application, obtained a ſeparate pardon; but not without difficulty, as the king violently oppoſed it. He was obliged, however, to leave the kingdom, and to reſide for ſome time in France[f].

THE numerous forces which Mary brought into the field, the vigour with which ſhe acted, and the length of time ſhe kept them in arms, reſemble the efforts of a prince with revenues much more conſiderable than thoſe which ſhe poſſeſſed. But armies were then levied and maintained by princes at ſmall charge. The vaſſal followed his ſuperior, and the ſuperior attended the monarch, at his own expence. Six hundred horſemen, however, and three companies of foot, beſides her guards, received regular pay from the queen. This extraordinary charge, together with the diſburſements occaſioned by her marriage, exhauſted a treaſury which was far from being rich. In this exigency, many devices were fallen upon for raiſing money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were ſuſpected of favouring the malecontents. An unuſual tax was impoſed on the boroughs throughout the

[c] Melv. 112. [d] Knox, 389. [e] Keith, 320. [f] Knox, 389.

kingdom;

kingdom; and a great ſum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourſe to delays, and ſtarted difficulties in order to evade it. Theſe Mary conſtrued to be acts of avowed diſobedience, and inſtantly committed ſeveral of them to priſon. But this ſeverity did not ſubdue the undaunted ſpirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the *ſuperiority* of the town of Leith, by which ſhe obtained a conſiderable ſum of money[g]. The thirds of eccleſiaſtical benefices proved another ſource whence the queen derived ſome ſupply. About this time we find the proteſtant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhauſted a great part of that fund which was appropriated for their maintenance[h].

Church affairs.

THE aſſemblies of the church were not unconcerned ſpectators of the commotions of this turbulent year. In the meeting held the twenty-fourth of June, previous to the queen's marriage, ſeveral of the malecontent nobles were preſent, and ſeem to have had great influence on its deciſions. The high ſtrain in which the aſſembly addreſſed the queen, can be imputed only to thoſe fears and jealouſies with regard to religion, which they endeavoured to infuſe into the nation. The aſſembly complained, with ſome bitterneſs, of the ſtop which had been put to the progreſs of the Reformation by the queen's arrival in Scotland; they required not only the total ſuppreſſion of the popiſh worſhip throughout the kingdom, but even in the queen's own chapel; and beſides the legal eſtabliſhment of the proteſtant religion, they demanded that Mary herſelf ſhould publicly embrace it. The queen, after ſome deliberation, replied, that neither her conſcience nor her intereſt would permit her to take ſuch a ſtep. The former would for ever reproach her for a change which proceeded from no inward conviction, the latter would ſuffer by the offence which her apoſtacy muſt give to the king of France, and her other allies on the continent[i].

IT is remarkable, that the proſperous ſituation of the queen's affairs during this year, began to work ſome change in favour of her religion. The earls of Lennox, Athol, and Caſſils, openly attended maſs; ſhe herſelf afforded the catholics a more avowed protection than formerly; and, by her permiſſion, ſome of the ancient monks ventured to preach publicly to the people[k].

g Knox, 383. 386.
h Maitl. Hiſt. of Edinburgh, 27.
i Knox, 374. 376.
k Ibid. 389, 390.

BOOK

BOOK IV.

BOOK IV.

1566.

Mary's deliberations concerning the exiled nobles.

AS the day appointed for the meeting of parliament approached, Mary and her miniſters were employed in deliberating concerning the courſe which it was moſt proper to hold with regard to the exiled nobles. Many motives prompted her to ſet no bounds to the rigour of juſtice. The malecontents had laboured to defeat a ſcheme, which her intereſt conſpired with her paſſions in rendering dear to her; they were the leaders of a party, whoſe friendſhip ſhe had been obliged to court, while ſhe held their principles in abhorrence; and they were firmly attached to a rival, whom ſhe had good reaſon both to fear and to hate.

BUT, on the other hand, ſeveral weighty conſiderations might be urged. The noblemen, whoſe fate was in ſuſpenſe, were among the moſt powerful ſubjects in the kingdom; their wealth great, their connexions extenſive, and their adherents numerous. They were now at mercy, the objects of compaſſion, and ſuing for pardon with the moſt humble ſubmiſſion.

IN thoſe circumſtances, an act of clemency would exalt the queen's character, and appear no leſs ſplendid among foreigners, than acceptable to her own ſubjects. Mary herſelf, though highly incenſed, was not inexorable; but the king's rage was implacable and unrelenting. They were ſolicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the Congregation, were not forgetful of their ancient union with Murray and his fellow ſufferers; nor neglectful of their ſafety, which they deemed of great importance to the kingdom. Melvil, who at that time poſſeſſed the queen's confidence, ſeconded their ſolicitations. And Murray having ſtooped ſo low as to court Rizio, that favourite, who was deſirous of ſecuring his protection againſt the king, whoſe diſpleaſure he had lately incurred, ſeconded the interceſſions of his other friends with the whole of his influence[a]. The interpoſition of ſir Nicholas Throgmorton, who had lately been Elizabeth's ambaſſador in Scotland, in behalf of the exiles, was of more weight than all theſe, and attended with more ſucceſs. Throgmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried

[a] Melv. 125.

on

on at the Engliſh court, in order to undermine the power and credit of that miniſter. He eſpouſed, for this reaſon, the cauſe of the Scottiſh queen, towards whoſe title and pretenſions the other was known to bear little favour; and ventured, in the preſent critical juncture, to write a letter to Mary, containing the moſt ſalutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his aſſociates, as a meaſure no leſs prudent than popular. "An action of this nature," ſays he, "the pure effect of your Majeſty's generoſity, will ſpread the fame of your lenity and moderation, and engage the Engliſh to look towards your acceſſion to the throne, not only without prejudice, but with deſire. By the ſame means, a perfect harmony will be reſtored among your own ſubjects, who, if any rupture ſhould happen with England, will ſerve you with that grateful zeal which your clemency cannot fail of inſpiring [b]."

1566.

THESE prudent remonſtrances of Throgmorton, to which his reputation for wiſdom, and known attachment to the queen, added great authority, made a deep impreſſion on her ſpirit. Her courtiers cultivated this happy diſpoſition, and prevailed on her, notwithſtanding the king's inflexible temper, to ſacrifice her own private reſentment to the interceſſion of her ſubjects and the wiſhes of her friends [c]. With this view, the parliament which had been called to meet on the fourth of February, was prorogued to the ſeventh of April [d]; and in the mean time ſhe was buſy in conſidering the manner and form in which ſhe ſhould extend her favour to the lords who were under diſgrace.

She reſolves to treat them with clemency.

THOUGH Mary diſcovered on this occaſion a mind naturally prone to humanity and capable of forgiving, ſhe wanted firmneſs, however, to reſiſt the influence which was fatally employed to diſappoint the effects of this amiable diſpoſition. About this time, and at no great diſtance from each other, two envoys arrived from the French king. The former was intruſted with matters of mere ceremony alone; he congratulated the queen on her marriage, and inveſted the king with the enſigns of the order of St. Michael. The inſtructions of the latter related to matters of more importance, and produced greater effects [e].

Is diverted from this reſolution by the ſolicitation of France, and her zeal for Popery.

February 3.

AN interview between Charles IX. and his ſiſter the queen of Spain had been often propoſed; and after many obſtacles ariſing from the oppoſition of political intereſt, was at laſt appointed at Bayonne. Catherine of Medicis accompanied

[b] Melv. 119. [c] Ibid. 125. [d] Good. vol. i. 224.
[e] Keith, 325. Append. 167.

BOOK IV. 1566.

her ſon; the duke of Alva attended his miſtreſs. Amidſt the ſcenes of public pomp and pleaſure, which ſeemed to be the ſole occupation of both courts, a ſcheme was formed, and meaſures concerted, for exterminating the Hugonots in France, the Proteſtants in the Low Countries, and for ſuppreſſing the Reformation throughout all Europe[f]. The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged diſpoſitions ſo ſuitable to the genius of the Romiſh religion, and ſo beneficial to their own order.

It was an account of this holy league which the ſecond French envoy brought to Mary, conjuring her at the ſame time, in the name of the king of France and the cardinal of Lorrain, not to reſtore the leaders of the proteſtants in her kingdom to power and favour, at the very time when the catholic princes were combined to deſtroy that ſect in all the countries of Europe[g].

Popery is a ſpecies of falſe religion, remarkable for the ſtrong poſſeſſion it takes of the heart. Contrived by men of deep inſight in the human character, and improved by the experience and obſervation of many ſucceſſive ages; it arrived at laſt to a degree of perfection, which no former ſyſtem of ſuperſtition had ever attained. There is no power in the underſtanding, and no paſſion in the heart, to which it does not preſent objects adapted to rouſe and to intereſt them. Neither the love of pleaſure which at that time prevailed in the court of France, nor the purſuits of ambition which occupied the court of Spain, had ſecured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly conſidered as peculiar to eccleſiaſtics; and kings and miniſters thought themſelves bound in conſcience to extirpate the proteſtant doctrine. Mary herſelf was deeply tinctured with all the prejudices of popery; a paſſionate attachment to that ſuperſtition is viſible in every part of her character, and runs through all the ſcenes of her life: ſhe was devoted too with the utmoſt ſubmiſſion to the princes of Lorrain, her uncles; and had been accuſtomed from her infancy to liſten to all their advices with a filial reſpect. The proſpect of reſtoring the public exerciſe of her own religion, the pleaſure of complying with her uncles, and the hopes of gratifying the French monarch, whom the preſent ſituation of her affairs in England made it neceſſary to court, counterbalanced all the prudent conſiderations which had

[f] Thuan. lib. 37. [g] Melv. 126.

formerly

formerly weighed with her. She instantly joined the confederacy, which had been formed for the destruction of the protestants, and altered the whole plan of her conduct with regard to Murray and his adherents [h]. BOOK IV. 1566.

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever since her return into Scotland, fortune may be said to have been propitious to her, rather than adverse; and if her prosperity did not rise to any great height, it had, however, suffered no considerable interruption. A thick and settled cloud of adversity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

A parliament called to attaint the exiled nobles;

The effects of the new system which Mary had adopted were soon visible. The time of the prorogation of parliament was shortened; and by a new proclamation the twelfth of March was fixed for its meeting [i]. Mary resolved, without any further delay, to proceed to the ataindor of the rebel lords, and at the same time determined to take some steps towards the re-establishment of the Romish religion in Scotland [k]. The Lords of the Articles were chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

and prevented by the conspiracy against Rizio.

h See Append. No. XIV. i Keith, 328.

k It is not on the authority of Knox alone, that we charge the queen with the design of re-establishing the Roman catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which they were subjected. He indeed asserts that the altars, which should have been erected in the church of St. Giles, were already provided, 394. 2. Mary herself, in a letter to the archbishop of Glasgow, her ambassador in France, acknowledges, "that in that parliament she intended to have done some good, with respect to restoring the old religion." Keith, 332. 2. The spiritual lords, i. e. the Popish ecclesiastici, had by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 374. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms that the queen intended to have procured, in this parliament, if not the re-establishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. ii. 204.

BOOK IV.

1566.

Darnly loſes the queen's affection.

DARNLY's external accompliſhments had excited that ſudden and violent paſſion which raiſed him to the throne. But the qualities of his mind correſponded ill with the beauty of his perſon. Of a weak underſtanding, and without experience, conceited, at the ſame time, of his own abilities, and aſcribing his extraordinary ſucceſs entirely to his diſtinguiſhed merit. All the queen's favour made no impreſſion on ſuch a temper. All her gentleneſs could not bridle his imperious and ungovernable ſpirit. All her attention to place about him perſons capable of directing his conduct, could not preſerve him from raſh and imprudent actions[l]. Fond of all the amuſements, and even prone to all the vices of youth, he became by degrees careleſs of her perſon, and a ſtranger to her company. To a woman, and a queen, ſuch behaviour was intolerable. The lower ſhe had ſtooped in order to raiſe him, his behaviour appeared the more ungenerous and criminal: and in proportion to the ſtrength of her firſt affection, was the violence with which her diſappointed paſſion now operated. A few months after the marriage their domeſtic quarrels began to be obſerved. The extravagance of Darnly's ambition gave riſe to theſe. Inſtead of being ſatisfied with a ſhare in the adminiſtration of government, or with the title of king, which Mary, by an unprecedented ſtretch of power, had conferred on him, he demanded the Crown Matrimonial with moſt inſolent importunity[m]. Though Mary alleged that this gift was beyond her power, and that the authority of parliament muſt be interpoſed to beſtow it, he wanted either underſtanding to comprehend, or temper to admit, ſo juſt a defence; and often renewed and urged his requeſt.

Suſpects Rizio to be the cauſe of it.

RIZIO, whom the king had at firſt taken into great confidence, did not humour him in theſe follies. By this he incurred Henry's diſpleaſure; and as it was impoſſible for Mary to behave towards her huſband with the ſame affection which diſtinguiſhed the firſt and happy days of their union, he imputed this coldneſs, not to his own behaviour, which had ſo well merited it, but to the inſinuations of Rizio. Mary's own conduct confirmed and ſtrengthened theſe ſuſpicions. She treated this ſtranger with a familiarity, and admitted him to a ſhare in her confidence, to which neither his firſt condition, nor the office ſhe had lately beſtowed on him, gave him any title. He was perpetually in

[l] Good. vol. i. 122.

[m] Keith, 329 Id. App. 165, 166. Knox, 404. The eagerneſs of the king to obtain the *Crown Matrimonial* is not ſurpriſing, when the extent of the power which that title conveyed, as explained in the text and note p. 96, is taken into conſideration.

her

her preſence, intermeddled in every buſineſs, and, together with a few favourites, was the companion of all her private amuſements. The haughty ſpirit of Darnly could not bear the intruſion of ſuch an upſtart; and impatient of any delay, and unreſtrained by any ſcruple, he inſtantly reſolved to get rid of him by violence. BOOK IV. 1566.

At the ſame time another deſign, which took its riſe from very different motives, was carrying on againſt the life of Rizio. Morton, Ruthven, Lindſay, and Maitland, were the contrivers of it. In all former commotions they had been ſtrictly united with Murray, though in the late inſurrection they had deſerted him, for various reaſons. Morton was nearly allied to the family of Angus, and, during the minority of the preſent earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindſay's wife was of the ſame blood. All theſe had warmly concurred with the queen in promoting a marriage which did ſo much honour to the houſe of Douglas, and naturally expected, that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his uſual ſagacity, foreſaw that Murray's oppoſition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himſelf neceſſary and of importance. They were all equally diſappointed in their expectations. The king's headſtrong temper rendered him incapable of advice. The queen could not help diſtruſting men who had been ſo long and ſo intimately connected with Murray, and gave herſelf up entirely to ſuch counſellors as complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could reſtore Morton, Maitland, and their aſſociates, to their former aſcendant over the queen's councils. For this reaſon, nothing could be more mortifying to them, than the reſolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his intereſt, was now the moſt active inſtrument in promoting the meaſures which were concerted for the ruin of that nobleman. This officious zeal completed the diſguſt which they had conceived againſt him, and inſpired them with thoughts of vengeance, in no wiſe ſuitable to juſtice, to humanity, or to their own dignity.

Rizio hated by the friends of the exiled nobles.

While they were ruminating upon their ſcheme, the king communicated his reſolution to be avenged of Rizio to lord Ruthven, and implored his aſſiſtance, and that of his friends, towards the execution of this deſign. Nothing could be

They combine in order to murder him.

BOOK IV. 1566.

more acceptable to them than this overture. They ſaw at once all the advantages they would reap, by the concurrence of ſuch an aſſociate. Their own private revenge upon Rizio would paſs, they hoped, for an act of obedience to the king; and they did not deſpair of obtaining the reſtoration of their baniſhed friends, and ſecurity for the proteſtant religion, as the price of their compliance with his will.

But as Henry was no leſs fickle than raſh, they heſitated for ſome time, and determined to advance no farther, without taking every poſſible precaution for their own ſafety. They did not, in the mean time, ſuffer the king's reſentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of inſinuation and addreſs, took the young prince under his management. He wrought upon his ruling paſſion, ambition to obtain the Matrimonial Crown. He repreſented Rizio's credit with the queen to be the chief and only obſtacle to his ſucceſs in that demand. This minion alone, he ſaid, poſſeſſed her confidence; and out of complaiſance to him, her ſubjects, her nobility, and even her huſband, were excluded from any participation of her ſecret councils. Under the appearance of a confidence merely political, he inſinuated, and the king perhaps believed, that a familiarity of a quite different and very criminal nature might be concealed [n]. Such various and complicated paſſions raged in the king's boſom with the utmoſt fury. He became more impatient than ever of any delay, and even threatened to ſtrike the intended blow with his own hand. At laſt, preliminaries were ſettled on both ſides, and articles for their

[n] Of all our hiſtorians, Buchanan alone avowedly accuſes Mary of a criminal love for Rizio, 340. 344. Knox ſlightly inſinuates that ſuch a ſuſpicion was entertained, 391. Melvil, in a converſation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to miſconſtruction, 110. The king himſelf ſeems, both by Melvil's account, and by his expoſtulation with the queen, which Ruthven mentions, to have given credit to theſe ſuſpicions, Melv. 127. Keith, Append. 123, 124. That the king's ſuſpicions were ſtrong, is likewiſe evident from the paper publiſhed Append. No. XV. But in oppoſition to theſe ſuſpicions, and they are nothing more, we may obſerve that Raulet, the queen's French ſecretary, was diſmiſſed from her ſervice, and Rizio advanced to that office in December 1564. Keith, 268. It was in conſequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnly arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a paſſion, which had all the ſymptoms of genuine and violent love. Rizio aided this paſſion, and promoted the marriage with all his intereſt. Melv. 111. During ſome months after the marriage, the queen's fondneſs for Darnly continued. She ſoon proved with child. From this enumeration of circumſtances, it appears almoſt impoſſible that the queen, unleſs we ſuppoſe her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the ſilence of Randolph, the Engliſh reſident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once inſinuate that her confidence in Rizio concealed any thing criminal, is in itſelf a ſufficient vindication of her innocence.

mutual

mutual ſecurity agreed upon. The king engaged to prevent the attainder of the baniſhed lords, to conſent to their return into Scotland, to obtain from them an ample remiſſion of all their crimes, and to ſupport, to the utmoſt of his power, the religion which was now eſtabliſhed in the kingdom. On their parts, they undertook to procure the Crown Matrimonial for Henry, to ſecure his right of ſucceſſion, if the queen ſhould die before him, and to defend that right to the uttermoſt, againſt whatever perſon ſhould preſume to diſpute it; and if either Rizio, or any other perſon, ſhould happen to be killed in proſecuting the deſign, the king promiſed to acknowledge himſelf to be the author of the enterpriſe, and to protect thoſe who were embarked in it °. 1566.

Perpetrate that crime in the queen's palace.

NOTHING now remained but to concert the plan of operation, to chuſe the actors, and to aſſign them their parts in perpetrating this deteſtable crime. Every circumſtance here paints and characteriſes the manners and men of that age, and fills us with horror at both. The place choſen for committing ſuch a deed, was the queen's bedchamber. Though Mary was now in the ſixth month of her pregnancy, and though Rizio might have been ſeized elſewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleaſure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterpriſe, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous diſtemper, and who was ſtill ſo feeble that he could hardly walk, or bear the weight of his own armour, was intruſted with the executive part; and while he himſelf needed to be ſupported by two men, he came abroad to commit a murder in the preſence of his ſovereign.

ON the ninth of March, Morton entered the court of the palace with an hundred and ſixty men; and without noiſe, or meeting with any reſiſtance, ſeized all the gates. While the queen was at ſupper with the counteſs of Argyll, Rizio, and a few domeſtics, the king ſuddenly entered the apartment by a private paſſage. At his back was Ruthven, clad in complete armour, and with that ghaſtly and horrid look which long ſickneſs had given him. Three or four of his moſt truſty accomplices followed him. Such an unuſual appearance alarmed thoſe who were preſent. Rizio inſtantly apprehended that he was the victim at whom the blow was

° Good. vol. i. 266.

BOOK IV. 1566.

aimed; and in the utmoſt conſternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her perſon might prove ſome protection to him. The conſpirators had proceeded too far to be reſtrained by any conſideration of that kind. Numbers of armed men ruſhed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears, and entreaties, and threatenings, to ſave her favourite. But, notwithſtanding all theſe, he was torn from her by violence, and before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-ſix wounds[p].

ATHOL, Huntly, Bothwell, and other confidents of the queen who had apartments in the palace, were alarmed at the uproar, and filled with the utmoſt terror on their own account; but either no violence was intended againſt them, or the conſpirators durſt not ſhed the nobleſt blood in the kingdom in the ſame illegal manner with which they had ventured to take the life of a ſtranger. Some of them were diſmiſſed, and others made their eſcape.

They confine the queen herſelf.

THE conſpirators, in the mean time, kept poſſeſſion of the palace, and guarded the queen with the utmoſt care. A proclamation was publiſhed by the king, prohibiting the parliament to meet on the day appointed; and meaſures were taken by him for preventing any tumult in the city[q]. Murray, Rothes, and their followers, being informed of every ſtep taken againſt Rizio, arrived at Edinburgh next evening. Murray was graciouſly received both by the king and queen: by the former, on account of the articles which had been agreed upon between them; by the latter, becauſe ſhe hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power ſhe ſtill felt and dreaded; and the inſult which they had offered to her authority, and even to her perſon, ſo far exceeded any crime ſhe could impute to Murray, that in hopes of wreaking her vengeance on them, ſhe became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their ſafety. The queen, who ſcarce had the liberty of choice left, was perſuaded to admit Morton and Ruthven into her preſence, and to grant them the promiſe of pardon in whatever terms they ſhould deem neceſſary for their own ſecurity.

[p] See Appendix, No. XV. [q] Keith, Appendix, 126.

THE

THE king, meanwhile, ſtood aſtoniſhed at the boldneſs and ſucceſs of his own enterpriſe, and uncertain what courſe to hold. The queen obſerved his irreſolution, and availed herſelf of it. She employed all her art to diſengage him from his new aſſociates. His conſciouſneſs of the inſult which he had offered to ſo illuſtrious a benefactreſs, inſpired him with uncommon facility and complaiſance. In ſpite of all the warnings he received to diſtruſt the queen's artifices, ſhe prevailed on him to diſmiſs the guards which the conſpirators had placed on her perſon; and that ſame night he made his eſcape along with her, attended by three perſons only, and retired to Dunbar. The ſcheme of their flight had been communicated to Huntly and Bothwell, and they were quickly joined by them and ſeveral other of the nobles. Bothwell's eſtate lay in that corner of the kingdom, and his followers crowded to their chief in ſuch numbers, as ſoon enabled the queen to ſet the power of the conſpirators at defiance.

1566. But ſhe gains the king, and makes her eſcape.

March 11.

THIS ſudden flight filled them with inexpreſſible conſternation. They had obtained a promiſe of pardon; and it now appeared from the queen's conduct, that nothing more was intended by this promiſe than to amuſe them, and to gain time. They ventured, however, to demand the accompliſhment of it; but their meſſenger was detained a priſoner, and the queen advancing towards Edinburgh, at the head of eight thouſand men, talked in the higheſt ſtrain of reſentment and revenge. She had the addreſs, at the ſame time, to ſeparate Murray and his aſſociates from the conſpirators againſt Rizio. Senſible that the union of theſe parties would form a confederacy which might prove formidable to the crown, ſhe expreſſed great willingneſs to receive the former into favour; towards the latter ſhe declared herſelf inexorable. Murray and his followers were no leſs willing to accept a pardon on her terms. The conſpirators againſt Rizio, deprived of every reſource, and incapable of reſiſtance, fled precipitately to Newcaſtle, having thus changed ſituations with Murray and his party, who left that place a few days before.

Is reconciled to the exiled nobles.

March 19. The conſpirators againſt Rizio fly into England.

No man ſo remarkable for wiſdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterpriſe. Deſerted baſely by the king, who now denied his knowledge of the conſpiracy by public proclamations, and abandoned ungenerouſly by Murray and his party [1], he was obliged to fly from his native country, to reſign the

[1] Melv. 130.

BOOK IV. 1566.

higheſt office, and to part with one of the moſt opulent fortunes, in the kingdom.

On her return to Edinburgh, Mary began to proceed againſt thoſe concerned in the murder of Rizio, with the utmoſt rigour of law. But, in praiſe of her clemency, it muſt be obſerved, that only two perſons, and theſe of no conſiderable rank, ſuffered for this crime [4].

In this conſpiracy there is one circumſtance which, though ſomewhat detached, deſerves not to be forgotten. In the confederacy between the king and the conſpirators, the real intention of which was aſſaſſination, the preſerving of the reformed church is, nevertheleſs, one of the moſt conſiderable articles; and the ſame men who were preparing to violate one of the firſt duties of morality, affected the higheſt regard for religion. Hiſtory relates theſe extravagances of the human mind, without pretending to juſtify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of juſtice and of virtue, points out ſuch inconſiſtencies, as features of the age which ſhe deſcribes, and records them for the inſtruction of ages to come.

An account of the frequency of aſſaſſinations in that age.

As this is the ſecond inſtance of deliberate aſſaſſination which has occurred, and as we ſhall hereafter meet with many other inſtances of the ſame crime, the cauſes which gave riſe to a practice ſo ſhocking to humanity deſerve our particular attention. Reſentment is, for obvious and wiſe reaſons, one of the ſtrongeſt paſſions in the human mind. The natural demand of this paſſion is, that the perſon who feels the injury ſhould himſelf inflict the vengeance due on that account. The permitting this, however, would have been deſtructive to ſociety; and puniſhment would have known no bounds, either in ſeverity or in duration. For this reaſon, in the very infancy of the ſocial ſtate, the ſword was taken out of private hands, and committed to the magiſtrate. But at firſt, while laws aimed at reſtraining, they really ſtrengthened the principle of revenge. The earlieſt and moſt ſimple puniſhment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compenſation to the perſon injured, ſucceeded to the rigour of the former inſtitution. In both theſe, the gratification of private revenge was the object of law; and he who ſuffered the wrong was the only perſon who had a right to purſue, to exact, or to remit the puniſhment. While laws allowed ſuch full ſcope to the revenge of one party, the in-

[4] Keith, Appendix, 130, 334.

tereſts

tereſts of the other were not neglected. If the evidence of his guilt did not amount to a full proof, or if he reckoned himſelf to be unjuſtly accuſed, the perſon to whom a crime was imputed had a right to challenge his adverſary to ſingle combat, and, on obtaining the victory, vindicated his own honour. In almoſt every conſiderable cauſe, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Juſtice had ſeldom occaſion to uſe her balance; the ſword alone decided every conteſt. The paſſion of revenge was nouriſhed by all theſe means, and grew, by daily indulgence, to be incredibly ſtrong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other cauſes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it neceſſary to diſcourage the trial by combat; to aboliſh the payment of compenſations in criminal caſes; and to think of ſome milder method of terminating diſputes concerning civil rights. The puniſhments for crimes became more ſevere, and the regulations concerning property more fixed; but the princes whoſe province it was to inflict the one, and to enforce the other, poſſeſſed little power. Great offenders deſpiſed their authority; ſmaller ones ſheltered themſelves under the juriſdiction of thoſe from whoſe protection they expected impunity. The adminiſtration of juſtice was extremely feeble and dilatory. An attempt to puniſh the crimes of a chieftain, or even of his vaſſals, often excited rebellions and civil wars. To nobles, haughty and independent, among whom the cauſes of diſcord were many and unavoidable, who were quick in diſcerning an injury, and impatient to revenge it; who deemed it infamous to ſubmit to an enemy, and cowardly to forgive him; who conſidered the right of puniſhing thoſe who had injured them, as a privilege of their order and a mark of independence; ſuch ſlow proceedings were extremely unſatisfactory. The blood of their adverſary was, in their opinion, the only thing which could waſh away an affront; where that was not ſhed, their revenge was diſappointed, their courage became ſuſpected, and a ſtain was left on their honour. That vengeance, which the impotent hand of the magiſtrate could not inflict, their own could eaſily execute. Under governments ſo feeble, men aſſumed, as in a ſtate of nature, the right of judging, and redreſſing their own wrongs; and thus aſſaſſination, a crime of all others the moſt deſtructive to ſociety, came not only to be allowed, but to be reckoned honourable.

THE hiſtory of Europe, during the fourteenth and fif-

BOOK IV. 1566.

teenth centuries, abounds with deteſtable inſtances of this crime. It prevailed chiefly among the French and Scots, between whom there was a cloſe intercourſe at that time, and a ſurpriſing reſemblance in their national characters. In one thouſand four hundred and ſeven, the only brother of the king of France was murdered publicly in the ſtreets of Paris; and ſo far was this horrible action from meeting with proper puniſhment, that an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulneſs of aſſaſſination. In one thouſand four hundred and ſeventeen, it required all the eloquence and authority of the famous Gerſon, to prevail on the council of Conſtance to condemn this propoſition, "That there are ſome caſes in which aſſaſſination is a virtue more meritorious in a knight than in a ſquire, and more meritorious in a king than in a knight[t]." The number of eminent perſons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and ſixteenth centuries, is almoſt incredible. Even after thoſe cauſes, which firſt gave riſe to this barbarous practice, were removed; after the juriſdiction of magiſtrates, and the authority of laws, were better eſtabliſhed, and become more univerſal; after the progreſs of learning and philoſophy had poliſhed the manners, and humanized the minds of men, this crime continued in ſome degree. It was towards the cloſe of the ſeventeenth century before it diſappeared in France. The additional vigour, which the royal authority acquired by the acceſſion of James VI. to the throne of England, ſeems to have put a ſtop to it in Scotland.

THE influence, however, of any national cuſtom, both on the underſtanding and on the heart, and how far it may go towards perverting or extinguiſhing moral principles of the greateſt importance, is remarkable. The authors of thoſe ages have perfectly imbibed the ſentiments of their contemporaries, with regard to aſſaſſination; and they, who had leiſure to reflect and to judge, appear to be no more ſhocked at this crime, than the perſons who committed it during the heat and impetuoſity of paſſion. Buchanan deſcribes the murder of cardinal Beatoun and of Rizio, without expreſſing thoſe feelings which are natural to a man, or that indignation which became an hiſtorian[u]. Knox, whoſe mind was fiercer and more unpoliſhed, relates the death of Beatoun and of the duke of Guiſe, not only without cenſure, but

[t] L'Enfant, Hiſt. Conc. de Conſt.

[u] Buchan. 295. 345.

with the utmoſt exultation [x]. On the other hand, the biſhop of Roſs mentions the aſſaſſination of the earl of Murray with ſome degree of applauſe [y]. Blackwood dwells upon it with the moſt indecent triumph, and aſcribes it directly to the hand of God [z]. Lord Ruthven, the principal actor in the conſpiracy againſt Rizio, wrote an account of it ſome ſhort time before his own death, and in all his long narrative there is not one expreſſion of regret, or one ſymptom of compunction, for a crime no leſs diſhonourable than barbarous [a]. Morton, equally guilty of the ſame crime, entertained the ſame ſentiments concerning it; and in his laſt moments, neither he himſelf, nor the miniſters who attended him, ſeem to have conſidered it as an action which called for repentance; even then he talks of *David's ſlaughter* as coolly as if it had been an innocent or commendable deed [b]. The vices of another age aſtoniſh and ſhock us; the vices of our own become familiar, and excite little horror [c]. I return from this digreſſion to the courſe of the hiſtory.

1566.

The queen's hatred to Darnly increaſes.

THE charm, which had at firſt attached the queen to Darnly, and held them for ſome time in an happy union, was now entirely diſſolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimenſion and deformity [d]. Though Henry publiſhed a proclamation, diſclaiming any knowledge of the conſpiracy againſt Rizio, the queen was fully convinced, that he was not only acceſſary to the contrivance, but to the commiſſion of that odious crime [e]. That very power which, with liberal and unſuſpicious fondneſs, ſhe had conferred upon him, he had employed to inſult her authority, to limit her prerogative, and to endanger her perſon. Such an outrage it was impoſſible any woman could bear or forgive. Cold civilities, ſecret diſtruſt, frequent quarrels, ſucceeded to their former tranſports of affection and confidence. The queen's favours were no longer conveyed through his hands. The crowd of expectants ceaſed to court

[x] Knox, 334. [y] Anderſ. 3. 84. [z] Jebb, 2. 263.

[a] Keith, Append. 119. [b] Crawf. Mem. Append.

[c] In the firſt accounts of Rizio's murder ſent to England, there ſeem to have been mingled (as is uſual in relating extraordinary events) ſome circumſtances, which afterwards appeared to be falſe: among others, that a friar, named *Black*, had been ſlain at the ſame time with Rizio. Parkhurſt biſhop of Norwich, in communicating this intelligence to his correſpondent Bullinger, an eminent reformed divine of Zurich, expreſſes no condemnation of the murder of Rizio, and exults over the ſuppoſed death of the friar, in terms which, in our times, will appear as ſhocking as they are puerile: "Fraterculus quidam, nomine *Black*, Papiſtarum anteſignanus, eodem tempore in aula occiditur: Sic niger hic nebulo, nigra quæque morte peremptus, invitus nigrum ſubito deſcendit in Orcum." Burn Hiſt. of Reform. iii. App. 360.

[d] See Appendix, No. XVI. [e] Keith, 350.

his

BOOK IV. 1566.

his patronage, which they found to avail ſo little. Among the nobles ſome dreaded his furious temper, others complained of his perfidiouſneſs; and all of them deſpiſed the weakneſs of his underſtanding and the inconſtancy of his heart. The people themſelves obſerved ſome parts of his conduct, which little ſuited the dignity of a king. Addicted to drunkenneſs, beyond what the manners of that age could bear, and indulging irregular paſſions, which even the licentiouſneſs of youth could not excuſe, he, by his indecent behaviour, provoked the queen to the utmoſt; and the paſſions which it occaſioned, often forced tears from her eyes, both in public and private[f]. Her averſion for him increaſed every day, and could be no longer concealed. He was often abſent from court, appeared there with little ſplendour, and was truſted with no power. Avoided equally by thoſe who endeavoured to pleaſe the queen, who favoured Morton and his aſſociates, or who adhered to the houſe of Hamilton; he was left almoſt alone in a neglected and unpitied ſolitude[g].

The riſe of Bothwell's favour.

ABOUT this time a new favourite grew into great credit with the queen, and ſoon gained an aſcendant over her heart, which encouraged his enterpriſing genius to form deſigns that proved fatal to himſelf, and the occaſion of all Mary's ſubſequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extenſive poſſeſſions and numerous vaſſals, one of the moſt powerful noblemen in the kingdom. Even in that turbulent age, when ſo many vaſt projects were laid open to an aſpiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourſe to bolder or more ſingular expedients for obtaining power[h]. When almoſt every perſon of diſtinction in the kingdom, whether papiſt or proteſtant, had joined the Congregation in oppoſing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed proteſtant, adhered to the queen regent, and acted with vigour on her ſide. The ſucceſs which attended the arms of the Congregation having obliged him to retire into France, he was taken into the queen's ſervice, and continued with her till the time of her re-

[f] Keith, 329. [g] Melv. 131, &c.

[h] The enterpriſing ſpirit of Bothwell was ſo conſpicuous as to procure him ſeveral marks of diſtinction during his reſidence in France. Hardwicke's State Papers, i. 143. Throkmorton, the Engliſh ambaſſador at Paris, and one of the moſt ſagacious miniſters employed by Elizabeth, points him out as a perſon who was to be dreaded and obſerved. "The earl of Bothwell," ſays he in a letter, Nov. 28, 1560, "is departed to return into Scotland, and hath made boaſt that he will do great things, and live in Scotland in deſpite of all men. He is a glorious, raſh and hazardous young man; and therefore it were meet that his adverſaries ſhould both have an eye to him, and alſo keep him ſhort." Ibid. p. 149.

turn

turn into Scotland[j]. From that period, every ſtep of his conduct towards Mary was remarkably dutiful; and amidſt all the ſhiftings of faction we ſcarcely ever find him holding any courſe which could be offenſive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, ſhe recalled Bothwell from that baniſhment into which ſhe had with reluctance driven him, and conſidered his zeal and abilities as the moſt powerful ſupports of her authority. When the conſpirators againſt Rizio ſeized her perſon, he became the chief inſtrument of recovering her liberty, and ſerved her, on that occaſion, with ſo much fidelity and ſucceſs, as made the deepeſt impreſſion on her mind, and greatly increaſed the confidence which ſhe had hitherto placed in him[k]. Her gratitude loaded him with marks of her bounty; ſhe raiſed him to offices of profit and of truſt, and tranſacted no matter of importance without his advice[l]. By complaiſance and aſſiduity he confirmed and fortified theſe diſpoſitions of the queen in his favour, and inſenſibly paved the way towards that vaſt project, which his immoderate ambition had perhaps already conceived, and which, in ſpite of many difficulties, and at the expence of many crimes, he at laſt accompliſhed.

BOOK IV. 1566.

The hour of the queen's delivery now approached. As her palace was defended only by a ſlender guard, it ſeemed imprudent to expoſe her perſon, at this time, to the inſults ſhe might ſuffer in a kingdom torn by factions and prone to mutiny. For this reaſon, the privy council adviſed the queen to fix her reſidence in the caſtle of Edinburgh, the ſtrongeſt fortreſs in the kingdom, and the moſt proper place for the ſecurity of her perſon[m]. In order to render this ſecurity more perfect, Mary laboured to extinguiſh the domeſtic feuds which divided ſome of the principal nobles. Murray and Argyll were exaſperated againſt Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promiſe to bury their diſcords in everlaſting oblivion. This reconcilement Mary had ſo much at heart, that ſhe made it the condition on which ſhe again received Murray into favour[n].

On the nineteenth of June, Mary was delivered of her only ſon James, a prince whoſe birth was happy for the whole iſland, and unfortunute to her alone. His acceſſion to the throne of England united the two divided kingdoms in one mighty monarchy, and eſtabliſhed the power of

Birth of James VI.

[j] Anderſ. i. 90. [k] Ibid. 92, 93. [l] Melv. 133. Knox, 396.
[m] Keith, 335. [n] Ibid. 336. Append. 139.

Great

BOOK IV. 1566.

Great Britain on a firm foundation: while ſhe, torn early from her ſon by the cruelty of her fate, was never allowed to indulge thoſe tender paſſions, nor to taſte thoſe joys which fill the heart of a mother.

MELVIL was inſtantly diſpatched to London with an account of this event. It ſtruck Elizabeth, at firſt, in a ſenſible manner; and the advantage and ſuperiority which her rival had acquired by the birth of a ſon, forced tears from her eyes. But before Melvil was admitted to audience, ſhe had ſo far recovered the command of herſelf, as to receive him not only with decency, but with exceſſive cheerfulneſs; and willingly accepted the invitation which Mary gave her, to ſtand godmother to her ſon [o].

As Mary loved ſplendour and magnificence, ſhe reſolved to celebrate the baptiſm of the young prince with great pomp; and for that purpoſe ſent invitations of the ſame kind to the French king, and to the duke of Savoy, the uncle of her former huſband.

The queen continues to treat Darnly with indifference and neglect.

THE queen, on her recovery, diſcovered no change in her ſentiments with reſpect to the king [p]. The death of Rizio, and the countenance he had given to an action ſo infolent and unjuſtifiable, were ſtill freſh in her memory. She was frequently penſive and dejected [q]. Though Henry ſometimes attended at court, and accompanied her in her progreſſes through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greateſt reſerve, and did not ſuffer him to poſſeſs any authority [r]. The breach between them became every day more apparent [s]. Attempts were made towards a reconcilement, particularly by Caſtelnau the French ambaſſador; but after ſuch a violent rupture, it was found no eaſy matter to bind the nuptial knot a-new; and though he prevailed on the king and queen to paſs two nights together [t], we may, with great probability, pronounce this appearance of union, to which Caſtelnau truſted, not to have been ſincere; we know with certainty that it was not laſting.

Her attachment to Bothwell increaſes.

BOTHWELL, all this while, was the queen's prime confident. Without his participation no buſineſs was concluded and no favour beſtowed. Together with this aſcendant over her councils, Bothwell, if we may believe the contemporary hiſtorians, acquired no leſs ſway over her heart. But at what preciſe time this ambitious lord firſt allowed the ſentiments of a lover to occupy the place of that duty and reſpect which a ſubject owes his ſovereign; or when Mary, inſtead

o Melv. 138. p See Append. No. XVII. q Melv. 148.
r Keith, 350. Melv. 132. s Keith, Append. 169. t Ibid. 169.

of

of gratitude for his faithful ſervices, felt a paſſion of another nature riſing in her boſom, it is no eaſy matter to determine. Such delicate tranſitions of paſſion can be diſcerned only by thoſe who are admitted near the perſons of the parties, and who can view the ſecret workings of the heart with calm and acute obſervation. Neither Knox nor Buchanan enjoyed theſe advantages. Their humble ſtation allowed them only a diſtant acceſs to the queen and her favourite. And the ardour of their zeal and the violence of their prejudices rendered their opinions raſh, precipitate, and inaccurate. It is by the effects of this reciprocal paſſion, rather than by their accounts of it, that ſubſequent hiſtorians can judge of its reality. 1566.

ADVENTUROUS as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumſtances. Mary was young, gay, and affable. She poſſeſſed great ſenſibility of temper, and was capable of the utmoſt tenderneſs of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with inſolence, and with brutality. All theſe ſhe felt and reſented. In this ſituation, the attention and complaiſance of a man who had vindicated her authority and protected her perſon, who entered into all her views, who ſoothed all her paſſions, who watched and improved every opportunity of inſinuating his deſign and recommending his paſſion [u], could hardly fail of making an impreſſion on a heart of ſuch a frame as Mary's.

THE haughty ſpirit of Darnly, nurſed up in flattery, and accuſtomed to command, could not bear the contempt under which he had now fallen, and the ſtate of inſignificance to which he ſaw himſelf reduced. But in a country where he was univerſally hated or deſpiſed, he could never hope to form a party, which would ſecond any attempt he might make to recover power. He addreſſed himſelf, therefore, to the pope, and to the kings of France and Spain, with many profeſſions of his own zeal for the Catholic religion, and with bitter complaints againſt the queen, for neglecting to promote that intereſt [x]: and ſoon after, he took a reſolution, equally wild and deſperate, of embarking on board a ſhip which he provided, and of flying into foreign parts. It is almoſt impoſſible to form any ſatisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himſelf to the Catholic princes on the continent by his zeal for religion, The king reſolves to leave Scotland.

[u] Anderſ. 1. 93, 94. [x] Knox, 399.

and

BOOK IV. 1566.

and that they would employ their intereſt towards reſtating him in the poſſeſſion of that power which he had loſt. Perhaps he expected nothing more than the comfort of hiding the diſgrace under which he was now fallen, among ſtrangers, who had never been witneſſes of his former proſperity.

His capricious behaviour.

He communicated the deſign to the French ambaſſador Le Croc, and to his father the earl of Lennox. They both endeavoured to diſſuade him from it, but without ſucceſs. Lennox, who ſeems, as well as his ſon, to have loſt the queen's confidence, and who, about this time, was ſeldom at court, inſtantly communicated the matter to her by a letter. Henry, who had refuſed to accompany the queen from Stirling to Edinburgh, was likewiſe abſent from court. He arrived there, however, on the ſame day ſhe received the account of his intended flight. But he was more than uſually wayward and peeviſh; and ſcrupling to enter the palace unleſs certain lords who attended the queen were diſmiſſed, Mary was obliged to meet him without the gates. At laſt he ſuffered her to conduct him into her own apartment. She endeavoured to draw from him the reaſons of the ſtrange reſolution which he had taken, and to divert him from it. In ſpite however of all her arguments and intreaties he remained ſilent and inflexible. Next day the privy council, by her direction, expoſtulated with him on the ſame head. He perſiſted, notwithſtanding, in his ſullenneſs and obſtinacy; and neither deigned to explain the motives of his conduct, nor ſignified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that ſhe ſhould not ſee his face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his diſguſt. She herſelf, he ſaid, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, ſo that he appeared in every place without the dignity and ſplendour of a king.

Mary endeavours to prevent his intended flight.

Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have ſpread the infamy of their domeſtic quarrel all over Europe. Compaſſion for a monarch who would then appear to be forced into exile by her neglect and ill uſage, might have diſpoſed mankind to entertain ſentiments concerning the cauſes of their diſcord, little to her advantage. In order, therefore, to prepoſſeſs the minds of her allies, and to ſcreen her reputation from any cenſure with which Darnly might endeavour to load it, the privy council tranſmitted a narrative of this whole tranſaction

both

both to the king and to the queen mother of France. It is drawn with great art, and ſets Mary's conduct in the moſt favourable point of light [y].

1566.

About this time the licenſe of the borderers called for redreſs; and Mary reſolving to hold a court of juſtice at Jedburgh, the inhabitants of ſeveral adjacent counties were ſummoned to attend their ſovereign in arms, according to cuſtom [z]. Bothwell was at that time lieutenant or warden of all the marches, an office among the moſt important in the kingdom; and though uſually divided into three diſtinct governments, beſtowed by the queen's favour upon him alone. In order to diſplay his own valour and activity in the diſcharge of this truſt, he attempted to ſeize a gang of banditti, who, lurking among the marſhes of Liddeſdale, infeſted the reſt of the country. But while he was laying hold upon one of thoſe deſperadoes, he was wounded by him in ſeveral places, ſo that his followers were obliged to carry him to Hermitage caſtle. Mary inſtantly flew thither, with an impatience which has been conſidered as marking the anxiety of a lover, but little ſuited the dignity of a queen [a]. Finding that Bothwell was threatened with no dangerous ſymptom, ſhe returned that ſame day to Jedburgh. The fatigue of ſuch a journey, added to the anguiſh of mind ſhe had ſuffered on Bothwell's account, threw her next morning into a violent fever [b]. Her life was deſpaired of, but her youth, and the vigour of her conſtitution, reſiſted the malignity of her diſeaſe. During the continuance of the queen's illneſs, the king, who reſided at Stirling, never came near Jedburgh [c]; and when he afterwards thought fit to make his appearance there, he met with ſuch a cold reception, as did not encourage him to make any long ſtay [d]. Mary ſoon recovered ſtrength enough to return along the eaſtern borders to Dunbar.

October 16.

Nov. 5.

While ſhe reſided in this place, her attention was turned towards England. Elizabeth, notwithſtanding her promiſe,

y Keith, 345. 347. z Keith, 353. Good. vol. i. 302.

a The diſtance between Jedburgh and Hermitage is eighteen Scottiſh miles, through a country almoſt impaſſable. The ſeaſon of the year was far advanced. Bothwell ſeems to have been wounded in a ſcuffle, occaſioned by the deſpair of a ſingle man, rather than any open inſurrection of the borderers. It does not appear that the queen was attended thither by any conſiderable train. Had any military operation been neceſſary, as is ſuppoſed, Good. vol. i. 304, it would have been extremely improper to riſque the queen's perſon in an expedition againſt thieves. As ſoon as the queen found Bothwell to be in no danger, ſhe inſtantly returned, and after this we hear no more of the inſurrection, nor have we any proof that the rioters took refuge in England. As there is no farther evidence with reſpect to the motives of this extraordinary journey, the reader muſt judge what degree of credit is due to Knox and Buchanan, who aſcribe it to the queen's love of Bothwell.

b Keith, 351, 352. c Ibid. Append. 133. d Knox, 400.

BOOK IV. 1566.

and even proclamations to the contrary, not only allowed, but encouraged, Morton and his aſſociates to remain in England[e]. Mary, on the other hand, offered her protection to ſeveral Engliſh fugitives. Each queen watched the motions of the other with a jealous attention, and ſecretly countenanced the practices which were carrying on to diſturb the adminiſtration of her rival.

The Engliſh parliament favours Mary's pretenſions to the ſucceſſion.

For this purpoſe Mary's ambaſſador, Robert Melvil, and her other emiſſaries, were extremely active and ſucceſsful. We may impute, in a good degree, to their intrigues, that ſpirit which appeared in the parliament of England, and which raiſed a ſtorm that threatened Elizabeth's domeſtic tranquillity more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without diſcovering the leaſt intention to marry. A violent diſtemper, with which ſhe had lately been ſeized, having endangered her life, and alarmed the nation with the proſpect of all thoſe calamities which are occaſioned by a diſputed and dubious ſucceſſion; a motion was made, and eagerly liſtened to in both houſes, for addreſſing the queen to provide againſt any ſuch danger in times to come, either by ſignifying her own reſolution to marry, or by conſenting to an act, eſtabliſhing the order of ſucceſſion to the crown[f]. Her love to her ſubjects, her duty to the public, her concern for poſterity, it was aſſerted, not only called upon, but obliged her to take one of theſe ſteps. The inſuperable averſion which ſhe had all along diſcovered for marriage, made it improbable that ſhe would chuſe the former; and if ſhe complied with the latter requeſt, no title to the crown could, with any colour of juſtice, be ſet in oppoſition to that of the Scottiſh queen. Elizabeth was ſagacious enough to ſee the remoteſt conſequences of this motion, and obſerved them with the greateſt anxiety. Mary, by refuſing ſo often to ratify the treaty of Edinburgh, had plainly intimated a deſign of embracing the firſt promiſing opportunity for proſecuting her right to the Engliſh crown; and by her ſecret negociations, ſhe had gained many to favour her title[g]. All the Roman catholics ardently wiſhed for her ſucceſſion. Her gentleneſs and humanity had removed many of thoſe apprehenſions which the proteſtants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wreſt the adminiſtration out of his hands, advanced the pretenſions of the Scottiſh queen in oppoſition to him. The union of the two king-

[e] Cald. vol. ii. p. 15. [f] D'Ewes Journ. of Parl. 105. [g] Melv. 136.

doms was a deſirable object to all wiſe men in both nations; and the birth of the young prince was a ſecurity for the continuance of this bleſſing, and gave hopes of its perpetuity.

1562. Elizabeth's perplexity on that account.

UNDER theſe circumſtances, and while the nation was in ſuch a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The preſent unſettled ſtate of the ſucceſſion left much in her power. Her reſentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto reſtrained and overawed the ambition of the Scottiſh queen. But if this check ſhould be removed by the legal acknowledgment of her title, Mary would be more at liberty to purſue her dangerous deſigns, and to act without fear or reſerve. Her partiſans were already meditating ſchemes for inſurrections in different parts of the kingdom[h]; and an act of parliament, recogniſing the rights of that princeſs, whoſe pretenſions they favoured, would have been nothing leſs than a ſignal to arms; and notwithſtanding Elizabeth's juſt title to the affections of her ſubjects, might have ſhaken and endangered her throne.

Mary endeavours to improve this opportunity.

WHILE this matter remained in ſuſpenſe in both houſes, an account of it was tranſmitted to Mary by Melvil her ambaſſador. As ſhe did not want advocates for her right, even among thoſe who were near Elizabeth's perſon, ſhe endeavoured to cultivate the diſpoſition which appeared towards ſettling the right of ſucceſſion in her favour, by a letter to the privy counſellors of England. She expreſſed in it a grateful ſenſe of Elizabeth's friendſhip, which ſhe aſcribes chiefly to their good offices with their ſovereign in her behalf. She declared her reſolution to live in perpetual amity with England, without urging or purſuing her claim upon the crown, any farther than ſhould be agreeable to the queen. But, at the ſame time, as her right of ſucceſſion was undoubted, ſhe hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her, wrote to the Engliſh privy council in the ſame ſtrain[i]. Mary artfully gave theſe letters the air of being nothing more than a declaration of her own and of her ſubjects gratitude towards Elizabeth. But as ſhe could not be ignorant of the jealouſy and fear with which Elizabeth obſerved the proceedings of parliament, a ſtep ſo uncommon as this, of one prince's entering into public correſpondence with the privy counſellors of another, could not be otherwiſe conſtrued than as taken with an intention to encourage the ſpirit which had already been

[h] Melv. 147. [i] Keith, 354. Append. 136.

BOOK IV. 1566.

raiſed among the Engliſh. In this light it ſeems to have appeared to Elizabeth herſelf [k]. But the diſpoſition of her people rendering it neceſſary to treat Mary's perſon with great decency, and her title with much regard, ſhe mentioned it to her only in the ſofteſt language.

Elizabeth ſooths and gains her parliament.

NOTHING, however, could be a more cruel mortification to a princeſs of Elizabeth's character, than the temper which both houſes of parliament diſcovered on this occaſion. She bent all her policy to defeat or elude the motion. After allowing the firſt heat of their zeal to evaporate, ſhe called into her preſence a certain number of each houſe. She ſoothed and careſſed them; ſhe threatened and promiſed; ſhe remitted ſubſidies which were due, and refuſed thoſe which were offered; and in the end prevailed to have this formidable motion put off for that ſeſſion. Happily for her, the conduct of the Scottiſh queen, and the misfortunes which befel her, prevented the revival of ſuch a motion in any future parliament [l].

MEANTIME, in order to preſerve the reputation of impartiality, and that ſhe might not drive Mary into any deſperate meaſure, ſhe committed to the Tower one Thornton, who had publiſhed ſomething derogatory to the right of the Scottiſh line [m]; and ſignified her diſpleaſure againſt a member of the houſe of commons, who ſeemed, by ſome words in a ſpeech, to glance at Mary [n].

An extraordinary ſtep of Mary's in favour of popery.

AMIDST all her other cares, Mary was ever ſolicitous to promote the intereſt of that religion which ſhe profeſſed. The re-eſtabliſhment of the Romiſh doctrine ſeems to have been her favourite paſſion; and though the deſign was concealed with care and conducted with caution, ſhe purſued it with a perſevering zeal. At this time ſhe ventured to lay aſide ſomewhat of her uſual reſerve; and the aid which ſhe expected from the popiſh princes, who had engaged in the league of Bayonne, encouraged her to take a ſtep which, if we conſider the temper of the nation, appears to be extremely bold. Having formerly held a ſecret correſpondence with the court of Rome, ſhe now reſolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time biſhop of Mondovi, was the perſon on whom Pius V. conferred this office, and along with him he ſent the queen a preſent of twenty thouſand crowns [o]. It is not the character of the papal court to open its treaſury upon diſtant or imaginary hopes. The buſineſs of the

[k] Keith, 357.
[l] D'Ewes Journ. 104—130. Camd. 399. Melv. 219. Haynes, 446.
[m] Camd. 401. [n] Haynes, 449. [o] Vita Card. Laur. ap. Burn. vol. iii p. 325.

nuncio

nuncio in Scotland could be no other, than to attempt a reconciliation of that kingdom to the Romiſh ſee. Thus Mary herſelf underſtood it; and in her anſwer to a letter which ſhe received from the pope, after expreſſing her grateful ſenſe of his paternal care and liberality, ſhe promiſes that ſhe would bend her whole ſtrength towards the re-eſtabliſhment and propagation of the catholic faith; that ſhe would receive the nuncio with every poſſible demonſtration of reſpect, and concur, with the utmoſt vigour, in all his deſigns towards promoting the honour of God, and reſtoring peace to the kingdom; that ſhe would celebrate the baptiſm of the prince according to the ceremonies which the Romiſh ritual preſcribes, hoping that her ſubjects would be taught, by this example, again to reverence the ſacraments of the church, which they had ſo long treated with contempt; and that ſhe would be careful to inſtil early into her ſon the principles of a ſincere love and attachment to the catholic faith [p]. But though the nuncio was already arrived at Paris, and had ſent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to ſend a magnificent embaſſy into Scotland, againſt the time of the prince's baptiſm, and as it would have been improper to offend her, ſhe wiſely contrived, under various pretences, to detain Laurea at Paris [q]. The convulſions into which the kingdom was thrown ſoon after, made it impoſſible for him to purſue his journey any farther.

1566.

At the very time that Mary was ſecretly carrying on theſe negociations for ſubverting the reformed church, ſhe did not ſcruple publicly to employ her authority towards obtaining for its miniſters a more certain and comfortable ſubſiſtence [r]. During this year, ſhe iſſued ſeveral proclamations and acts of council for that purpoſe, and readily approved of every ſcheme which was propoſed for the more effectual payment of their ſtipends. This part of her conduct does little honour to Mary's integrity: and though juſtified by the example of princes, who often reckon falſehood and deceit among the neceſſary arts of government, and even authoriſed by the pernicious caſuiſtry of the Roman church, which transfers breach of faith to heretics from the liſt of crimes to that of duties, ſuch diſſimulation, however, muſt be numbered among thoſe blemiſhes which never ſtain a truly great and generous character.

[p] Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51.
[q] Keith, Append. 135.
[r] Keith, 561, 562. Knox, 401.

BOOK IV.

1566. December.

As neither the French nor Piedmonteſe ambaſſadors were yet arrived, the baptiſm of the prince was put off from time to time. Meanwhile, Mary fixed her reſidence at Craigmillar[s]. Such a retirement, perhaps, ſuited the preſent temper of her mind, and induced her to prefer it before her own palace of Holy-rood-houſe. Her averſion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy ſucceeded to that gaiety of ſpirit which was natural to her. The raſhneſs and levity of her own choice, and the king's ingratitude and obſtinacy, filled her with ſhame and with deſpair. A variety of paſſions preyed at once on a mind, all whoſe ſenſations were exquiſite, and all its emotions ſtrong, and often extorted from her the laſt wiſh of the unfortunate, that life itſelf might come to an end[t].

Her averſion for the king exceſſive.

BUT as the earl of Bedford, and the count de Brienne, the Engliſh and French ambaſſadors, whom ſhe had long expected, arrived about this time, Mary was obliged to ſuppreſs what paſſed in her boſom, and to ſet out for Stirling, in order to celebrate the baptiſm of her ſon. Bedford was attended by a numerous and ſplendid train, and brought preſents from Elizabeth, ſuitable to her own dignity, and the reſpect with which ſhe affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence diſplayed by her on this occaſion exceeded whatever had been formerly known in Scotland. The ceremony itſelf was performed according to the rites of the Romiſh church. But neither Bedford nor any of the Scottiſh nobles who profeſſed the proteſtant religion, entered within the gates of the chapel[u]. The ſpirit of that age, firm and uncomplying, would not, upon any inducement, condeſcend to witneſs an action which it deemed idolatrous.

Dec. 17.

HENRY'S behaviour, at this juncture, perfectly diſcovers the exceſs of his caprice, as well as of his folly. He choſe to reſide at Stirling, but confined himſelf to his own apartment; and as the queen diſtruſted every nobleman who ventured to converſe with him, he was left in abſolute ſolitude. Nothing could be more ſingular, or was leſs expected, than his chuſing to appear in a manner that both publiſhed the contempt under which he had fallen, and, by expoſing the queen's domeſtic unhappineſs to the obſervation of ſo many foreigners, looked like a ſtep taken on purpoſe to mortify and to offend her. Mary felt this inſult ſenſibly; and notwithſtanding all her efforts to aſſume the gaiety which ſuited the occaſion, and which was neceſſary for the polite

The king's capricious behaviour at the baptiſm of the prince.

[s] Keith, 355. [t] Keith, Pref. vii. [u] Keith, 360.

recep-

reception of her guests, ſhe was ſometimes obliged to retire, in order to be at liberty to indulge her ſorrow, and give vent to her tears [x]. The king ſtill perſiſted in his deſign of retiring into foreign parts, and daily threatened to put it into execution [y].

Elizabeth endeavours to accommodate her differences with Mary.

THE ceremony of witneſſing the prince's baptiſm was not the ſole buſineſs of Bedford's embaſſy. His inſtructions contained an overture, which ought to have gone far towards extinguiſhing thoſe jealouſies which had ſo long ſubſiſted between the two queens. The treaty of Edinburgh, which has been ſo often mentioned, was the principal occaſion of theſe. The ſpirit, however, which had riſen to ſuch an height in the late parliament, the power of the party which favoured the Scottiſh queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expreſſions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her poſterity; who, on the other hand, engaged to take no ſtep which might prove injurious to Mary's claim upon the ſucceſſion [z].

MARY could not, with decency, reject a propoſition ſo equitable; ſhe inſiſted, however, that Elizabeth ſhould

[x] Keith, Pref. vii.

[y] Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of king. As this was an indignity not to be borne either by Mary or her huſband, it hath been aſſerted to be the cauſe of the king's abſence from the ceremony of his ſon's baptiſm. Keith, 360. Good. 319. But, 1. No ſuch thing is to be found among Bedford's inſtructions, the original of which ſtill remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconſiſtent with Camden's aſſertion. Melv. 153. Melvil's account is confirmed by Elizabeth's inſtructions to Sir Henry Norris, where ſhe affirms that ſhe commanded Bedford to employ his beſt offices towards reconciling Mary to her huſband, which he had attempted to no purpoſe. Digges's Compl. Ambaſ. p. 23. A paper publiſhed, Append. No. XVIII. proves the ſame thing. 3. Le Croc the French reſident mentions the king's abſence, but without giving that reaſon for it, which has been founded on Camden's words, though, if that had been the real one, it is hardly poſſible to conceive that he ſhould have neglected to mention it. Le Croc's firſt letter is dated December 2, ſome time prior to the arrival of the earl of Bedford in Scotland; and when his inſtructions, either public or ſecret, could hardly be known. Le Croc plainly ſuppoſes that the diſcord between the king and queen was the cauſe of his abſence from the baptiſm, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and the queen, he had refuſed to hold any further correſpondence with the former, though he appears, in many inſtances, to have been his great confident. Ibid. 5. As the king was not preſent at the baptiſm, he ſeems to have been excluded from any ſhare in the ordinary adminiſtration of buſineſs. Two acts of privy council, one on the 20th, and the other on the 21ſt of December, are found in Keith, 562. They both run in the queen's name alone. The king ſeems not to have been preſent. This could not be owing to Elizabeth's inſtructions to Bedford.

[z] Keith, 356.

BOOK IV. 1566.

order the right upon which ſhe claimed, to be legally examined and publicly recogniſed, and particularly that the teſtament of Henry VIII. whereby he had excluded the deſcendants of his eldeſt ſiſter the queen of Scotland, from the place due to them in the order of ſucceſſion, might be produced, and conſidered by the Engliſh nobility. Mary's miniſters had credulouſly embraced an opinion, that this teſtament, which they ſo juſtly conceived to be injurious to their miſtreſs, was a mere forgery; and on different occaſions had urged Elizabeth to produce it. Mary would have ſuffered conſiderably by gaining this point. The original teſtament is ſtill extant, and not the leaſt doubt can be entertained of its genuineneſs and authenticity. But it was not Elizabeth's intention to weaken or to ſet aſide the title of the houſe of Stewart. She aimed at nothing more, than to keep the queſtion concerning the ſucceſſion perplexed and undecided, and by induſtriouſly eluding this requeſt, ſhe did real ſervice to Mary's cauſe [a].

A FEW days after the baptiſm of the prince, Morton and all the other conſpirators againſt Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every entreaty in their behalf, yielded at laſt to the ſolicitations of Bothwel [b]. He could hope for no ſucceſs in thoſe bold deſigns on which his ambition reſolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his aſſociates, of which they had good reaſon to deſpair, he expected to ſecure a band of faithful and determined adherents.

THE king ſtill remained at Stirling in ſolitude and under contempt. His impatience in this ſituation, together with the alarm given him by the rumour of a deſign to ſeize his perſon, and confine him to priſon [c], was the occaſion of his leaving that place in an abrupt manner, and retiring to his father at Glaſgow.

June 25. Dec. 25. Church affairs.

Two aſſemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the proteſtant clergy were ſuffered to languiſh. Penurious as the allotment for their ſubſiſtence was, they had not received the leaſt part of what was due for the preceding year [d]. Nothing leſs than a zeal, ready to endure and to ſuffer every thing for a good cauſe, could have perſuaded men to adhere to a church ſo

[a] Rymer, xv. p. 110. Keith, 361. 358. Note (c). Murdin, 368.
[b] Good. vol. i. 140. Melv. 154. [c] Keith, Preſ. viii. [d] Ibid. 362.

indigent

indigent and ſo neglected. The extraordinary expences occaſioned by the prince's baptiſm had exhauſted the queen's treaſury, and the ſums appropriated for the ſubſiſtence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the juſt remonſtrances of the aſſembly, by falling on ſome new method for the relief of the church. Some ſymptoms of liberality, ſome ſtretch towards munificence, might have been expected in an aſſignment which was made with an intention of ſoothing and ſilencing the clergy. But both the queen and the nobles held faſt the riches of the church which they had ſeized. A ſum which, at the higheſt computation, can hardly be reckoned equal to nine thouſand pounds ſterling [e], was deemed ſufficient for the maintenance of a whole national church, by men who had lately ſeen ſingle monaſteries poſſeſſed of revenues far ſuperior in value. BOOK IV. 1562.

THE eccleſiaſtics in that age bore the grievances which affected themſelves alone with aſtoniſhing patience; but wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudeſt manner, their apprehenſions of danger. A juſt occaſion of this kind was given them, a ſhort time before the meeting of the aſſembly. The uſurped and oppreſſive juriſdiction of the ſpiritual courts had been aboliſhed by the parliament in the year one thouſand five hundred and ſixty, and commiſſaries were appointed to hear and determine the cauſes which formerly came under their cognizance [f]. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commiſſaries, and had given them inſtructions for directing their proceedings [g], which are ſtill of great authority in that court. From the time of their firſt appointment, theſe judges had continued in the uninterrupted exerciſe of their function, when of a ſudden the queen iſſued a proclamation, reſtoring the archbiſhop of St. Andrew's to his ancient juriſdiction, and depriving the commiſſaries of all authority [h].

A MOTIVE, which cannot be juſtified, rendered the queen not unwilling to venture upon this raſh action. She had been contriving for ſome time how to re-eſtabliſh the popiſh religion; and the reſtoring the ancient eccleſiaſtics to their former juriſdiction ſeemed to be a conſiderable ſtep towards that end. The motive which prompted Bothwell, to whoſe influence over the queen this action muſt be chiefly

[e] Keith, 562. [f] Ibid. 252. [g] Ibid. 252.
[h] Knox, 403.

imputed,

BOOK IV.

1566.

imputed [j], was ſtill more criminal. His enterpriſing ambition had already formed that bold deſign, which he ſoon after put in execution; and the uſe which we ſhall hereafter find him making of that authority which the popiſh eccleſiaſtics regained, diſcovers the reaſons of his preſent conduct, in contributing to revive their power. The proteſtant clergy were not unconcerned ſpectators of an event which threatened their religion with unavoidable deſtruction; but as they deſpaired of obtaining the proper remedy from the queen herſelf, they addreſſed a remonſtrance to the whole body of the proteſtant nobility, full of that ardent zeal for religion, which the danger to which it was expoſed at that time, ſeemed to require [k]. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

The king falls ſick at Glaſgow. 1567.

IMMEDIATELY upon the king's leaving Stirling, and before he could reach Glaſgow, he was ſeized with a dangerous diſtemper. The ſymptoms which attended it were violent and unuſual, and in that age it was commonly imputed to the effects of poiſon [l]. It is impoſſible, amidſt the contradictions of hiſtorians, to decide with certainty concerning its nature or its cauſe [m]. His life was in the utmoſt danger; but after languiſhing for ſome weeks, the vigour of his conſtitution ſurmounted the malignity of the diſeaſe.

Neglected by Mary.

MARY's neglect of the king on this occaſion was equal to that with which he had treated her during her illneſs at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to ſympathy, and delights in all thoſe tender

[j] Knox, 403. [k] Keith, 367. [l] Melv. 154. Knox, 401.

[m] Buchanan and Knox are poſitive that the king had been poiſoned. They mention the black and putrid puſtules which broke out all over his body. Buchanan adds, that Abernethy the king's phyſician plainly declared that poiſon was the cauſe of theſe ſymptoms, and that the queen refuſed to allow her own phyſician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Cauſin, &c. Jebb, vol. ii. 59. 214. aſſert, that the ſmall-pox was the diſeaſe with which the king was ſeized. He is called a *Pockis man* in the queen's letter. Good. vol. ii. 151. The reaſon given by *French Paris* for lodging the king at the Kirk of Field, viz. leſt the young prince ſhould catch the infection if he ſtaid in the palace, ſeems to favour this opinion. Anderſ. vol ii. 193. Carte mentions it as a proof of Mary's tenderneſs to her huſband, that though ſhe never had the ſmall-pox herſelf, ſhe ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not viſiting him ſooner; but Mary had the ſmall-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publiſher of ancient Scotiſh poems, p. 308. 3. Biſhop Leſly affirms, that the king's diſeaſe was the French pox. Keith, 364. Note (*b*). In that age, this diſeaſe was eſteemed ſo contagious, that perſons infected with it were removed without the walls of cities,

offices

offices which ſooth and alleviate ſickneſs and pain. At this juncture, ſhe did not even put on the appearance of this paſſion. Notwithſtanding the king's danger, ſhe amuſed herſelf with excurſions to different parts of the country, and ſuffered near a month to elapſe before ſhe viſited him at Glaſgow. By that time the violence of the diſtemper was over, and the king, though weak and languiſhing, was out of all danger. BOOK IV. 1567.

The breach between Mary and her huſband was not occaſioned by any of thoſe ſlight diſguſts which interrupt the domeſtic union, without diſſolving it altogether. Almoſt all paſſions which operate with greateſt violence on a female mind, and drive it to the moſt dangerous extremes, concurred in raiſing and fomenting this unhappy quarrel. Ingratitude for the favours ſhe had beſtowed, contempt of her perſon, violations of the marriage-vow, encroachments on her power, conſpiracies againſt her favourites, jealouſy, inſolence, and obſtinacy, were the injuries of which Mary had great reaſon to complain. She felt them with the utmoſt ſenſibility; and added to the anguiſh of diſappointed love, they produced thoſe ſymptoms of deſpair which we have already deſcribed. Her reſentment againſt the king ſeems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambaſſador in France, on the day before ſhe ſet out for Glaſgow, no tokens of ſudden reconcilement appear. On the contrary, ſhe mentions, with ſome bitterneſs, the king's ingratitude, the jealouſy with which he obſerved her actions, and the inclination he diſcovered to diſturb her government, and at the ſame time talks of all his attempts with the utmoſt ſcorn[n]. The breach between them irreparable. Jan. 20.

After this diſcovery of Mary's ſentiments, at the time of her departure from Edinburgh to Glaſgow, a viſit to the king, which had been neglected when his ſituation rendered it moſt neceſſary, appears ſingular, and it could hardly be expected that any thing but marks of jealouſy and diſtruſt ſhould appear in ſuch an interview. This, however, was far from being the caſe; ſhe not only viſited Henry, but, by all her words and actions, endeavoured to expreſs an uncommon affection for him: and though this made impreſſion on the credulous ſpirit of her huſband, no leſs flexible on ſome occaſions, than obſtinate on others; yet, to thoſe who are acquainted with the human heart, and who know how ſeldom and how ſlowly ſuch wounds in domeſtic happineſs are healed, this ſudden tranſition will appear with a very Viſits the king at Glaſgow.

[n] Keith, Pref. viii.

ſuſpicious

BOOK IV.

1566. Her diſſimulation.

ſuſpicious air, and will be conſidered by them as the effect of artifice.

But it is not on ſuſpicion alone, that Mary is charged with diſſimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her ſtay at Glaſgow, and fully lay open this ſcene of iniquity. He had ſo far ſucceeded in his ambitious and criminal deſign, as to gain an abſolute aſcendant over the queen; and in a ſituation ſuch as Mary's, merit not ſo conſpicuous, ſervices of far inferior importance, and addreſs much leſs inſinuating than Bothwell's, may be ſuppoſed to ſteal imperceptibly on a female heart, and entirely to overcome it. Unhappily, among thoſe in the higher ranks of life, ſcruples with regard to conjugal fidelity are, often, neither many nor ſtrong: nor did the manners of that court in which Mary had been educated, contribute to increaſe or to fortify them. The amorous turn of Francis I. and Henry II. the wildneſs of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet aquired that delicacy of ſentiment, and thoſe poliſhed manners, which alone can render this liberty innocent, had introduced, among the French, a licentiouſneſs of morals that roſe to an aſtoniſhing height. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminiſhing that horror of vice which is natural to a virtuous mind. The king's behaviour would render the firſt approach of forbidden ſentiments leſs ſhocking; reſentment, and diſappointed love, would be apt to repreſent whatever ſoothed her revenge, as juſtifiable on that account; and ſo many concurring cauſes might, almoſt imperceptibly, kindle a new paſſion in her heart.

The motives of it.

But whatever opinion we may form with regard to the riſe and progreſs of this paſſion, the letters themſelves breathe all the ardour and tenderneſs of love. The affection which Mary there expreſſes for Bothwell, fully accounts for every ſubſequent part of her conduct; which, without admitting this circumſtance, appears altogether myſterious, inconſiſtent, and inexplicable. That reconcilement with her huſband, of which, if we allow it to be genuine, it is impoſſible to give any plauſible account, is diſcovered by the queen's own confeſſion to have been mere artifice and deceit. As her averſion for her huſband, and the ſuſpicious attention with which ſhe obſerved his conduct, became univerſally known, her ears were officiouſly filled, as is uſual in ſuch caſes, with groundleſs or aggravated accounts of his actions. By ſome ſhe was told, that the king intended to ſeize the perſon of the prince

his

his ſon, and in his name to uſurp the government; by others ſhe was aſſured that he reſolved inſtantly to leave the kingdom; that a veſſel was hired for this purpoſe, and lay in the river Clyde ready to receive him. The laſt was what Mary chiefly dreaded. Henry's retiring into a foreign country muſt have been highly diſhonourable to the queen, and would have entirely diſconcerted Bothwell's meaſures. While he reſided at Glaſgow, at a diſtance from her, and in that part of the kingdom where the intereſt of his family was greateſt, he might with more facility accompliſh his deſigns. In order, therefore, to prevent his executing any ſuch wild ſcheme, it was neceſſary to bring him to ſome place where he would be more immediately under her own eye. For this purpoſe, ſhe firſt employed all her art to regain his confidence, and then propoſed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have eaſier acceſs to the advice of phyſicians, and that ſhe herſelf could attend him without being abſent from her ſon[p]. The king was weak enough to ſuffer himſelf to be perſuaded; and being ſtill feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

1567.

Prevails on him to come to Edinburgh.

The place prepared for his reception was a houſe belonging to the provoſt of a collegiate church, called Kirk of Field. It ſtood almoſt upon the ſame ſpot where the houſe belonging to the principal of the univerſity now ſtands. Such a ſituation, on a riſing ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the ſolitude of the place rendered it extremely proper for the commiſſion of that crime, with a view to which it ſeems manifeſtly to have been choſen.

Mary continued to attend the king with the moſt aſſiduous care. She ſeldom was abſent from him through the day; ſhe ſlept two nights in the chamber under his apartment. She heaped on him ſo many marks of tenderneſs and confidence, as in a great meaſure quieted thoſe ſuſpicions which had ſo long diſturbed him. But while he was fondly indulging in dreams of the return of his former happineſs, he ſtood on the very brink of deſtruction. On Sunday the ninth of February, about eleven at night, the queen left the Kirk of Field, in order to be preſent at a maſque in the palace. At two next morning, the houſe in which the king lay was blown up with gunpowder. The noiſe and ſhock which this ſudden exploſion occaſioned, alarmed the whole city. The

He is murdered there.

[p] Keith, Pref. viii. [p] Good. vol. ii. 2.

BOOK IV. 1567.

inhabitants ran to the place whence it came. The dead body of the king, with that of a ſervant who ſlept in the ſame room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruiſe or mark of violence.

His character.

SUCH was the unhappy fate of Henry Stewart lord Darnly, in the twenty-firſt year of his age. The indulgence of fortune, and his own external accompliſhments, without any other merit, had raiſed him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he loſt the heart of a woman who doated on him to diſtraction. His inſolence and inconſtancy alienated from him ſuch of the nobles as had contributed moſt zealouſly towards his elevation. His levity and caprice expoſed him to the ſcorn of the people, who once revered him as the deſcendant of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumſtances of his murder, and the ſhameful remiſſineſs in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwiſe no title.

Bothwell and the queen ſuſpected of the murder.

EVERY one's imagination was at work to gueſs who had contrived and executed this execrable deed. The ſuſpicion fell, with almoſt a general conſent, on Bothwell[q]; and ſome reflections were thrown out, as if the queen herſelf were no ſtranger to the crime. Of Bothwell's guilt there remains the fulleſt evidence that the nature of the action will admit. The queen's known ſentiments with regard to her huſband, gave a great appearance of probability to the imputation with which ſhe was loaded[r].

Two days after the murder, a proclamation was iſſued by the queen, offering a conſiderable reward to any perſon who ſhould diſcover thoſe who had been guilty of ſuch a horrid and deteſtable crime[s]; and though Bothwell was now one of the greateſt ſubjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impoſſible to ſuppreſs the ſentiments and indignation of the people. Papers were affixed to the moſt public places of the city, accuſing him of the murder, and naming his accomplices; pictures appeared to the ſame purpoſe, and voices were heard in the middle of the night, charging him with

q Melv. 155. Anderſ. vol. ii. 156.

r See Diſſertation concerning the murder of Henry Darnly, and the genuineneſs of Mary's letters to Bothwell, Appendix.

s Anderſ. vol. i. 36.

that

that barbarous action. But the authors of these rumours did not confine their accusations to Bothwell alone; they insinuated that the queen herself was accessary to the crime[t]. This bold accusation, which so directly attacked Mary's reputation, drew the attention of her council; and by engaging them in an inquiry after the authors of these libels, diverted them from searching for the murderers of the king[u]. It could scarce be expected that Mary herself would be extremely solicitous to discover those who had rid her of an husband, whom she had so violently hated. It was Bothwell's interest, who had the supreme direction of this, as well as of all other affairs, to stifle and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction under the veil of darkness and of silence. Some inquiry, however, was made, and some persons called before the council; but the examination was conducted with the most indecent remissness, and in such a manner as to let in no light upon that scene of guilt[x].

1567.

It was not her own subjects alone who suspected Mary of having been accessary to this unnatural crime; nor did an opinion, so dishonourable to her character, owe its rise and progress to the jealousy and malice of her factious nobles. The report of the manner and circumstances of the king's murder spread quickly over all Europe, and, even in that age, which was accustomed to deeds of violence, it excited universal horror. As her unhappy breach with her husband had long been matter of public discourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to prosecute the murderers with the utmost diligence, and expected that the rigour of her proceedings would prove the best and fullest vindication of her innocence[y].

Lennox at the same time incited Mary to vengeance with incessant importunity. This nobleman had shared in his son's disgrace, and being treated by Mary with neglect, usually resided at a distance from court. Roused, however, by an event no less shocking to the heart of a father, than fatal to all his schemes of ambition, he ventured to write to the queen, and to offer his advice with respect to the most effectual method for discovering and convicting those who had so cruelly deprived him of a son, and her of a husband. He urged her to prosecute those who were guilty with

Lennox accuses Bothwell of the king's murder.

Feb. 21.

[t] Anderf. vol. ii. 156. [u] Id. vol. i. 38.
[x] Id. vol. iv. part ii. 167, 168. [y] Keith, Pref. ix.

vigour,

BOOK IV. 1567.

vigour, and to bring them to a ſpeedy trial; he declared his own ſuſpicion of Bothwell, and of thoſe who were named as his accomplices; he required that, out of regard to decency, and in order to encourage evidence to appear againſt them, the perſons accuſed of ſuch an atrocious crime ſhould be committed to cuſtody, or at leaſt excluded from her court and preſence [z].

Mary was then at Seaton, whither ſhe had retired after the burial of the king, whoſe body was depoſited among the monarchs of Scotland, in a private but decent manner [a]. The former part of the earl's demand could not on any pretence be eluded; and it was reſolved to bring Bothwell immediately to trial. But, inſtead of confining him to any priſon, Mary admitted him into all her councils, and allowed a perſon, univerſally reputed the murderer of her huſband, to enjoy all the ſecurity, the dignity, and the power of a favourite [b]. The offices which Bothwell already poſſeſſed, gave him the command of all the ſouth of Scotland. The caſtle of Edinburgh, however, was a place of ſo much conſequence that he wiſhed earneſtly to have it in his own power. The queen, in order to prevail on the earl of Mar to ſurrender it, conſented to put the perſon of the young prince in his hands, and immediately beſtowed the government of that important fortreſs upon Bothwell [c]. So many ſteps in her conduct, inconſiſtent with all the rules of prudence and of decency, muſt be imputed to an exceſs either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and ſtriking proofs ſoon appeared.

Mary continues to favour him.

March 19.

No direct evidence had yet appeared againſt Bothwell; but as time might bring to light the circumſtances of a crime in which ſo many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general ſuſpicions, and uncertain ſurmiſes, could be produced by his accuſers. For this reaſon, in a meeting of privy council held on the twenty-eighth of March, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal cauſes were carried on in that age required, a much longer interval, it appears from ſeveral circumſtances that this ſhort ſpace was conſiderably contracted, and that Lennox had only eleven days warning to prepare for accuſing a perſon ſo far ſuperior to himſelf both in power and in favour [d]. No man could be

Haſtens on his trial.

leſs

[z] Keith, 369.
[a] Anderſ. vol. i. 23.
[b] Anderſ. vol. i. 40, &c.
[c] Anderſ. vol. i. Pref. 64. Keith, 379.
[d] The act of privy council, appointing the day of Bothwell's trial, bears date March the 28th, which happened on a Thurſday. Anderſ. vol. i. 50. The queen's

BOOK IV. 1567.

laſs in a condition to contend with an antagoniſt who was thus ſupported. Though Lennox's paternal eſtate had been reſtored to him when he was called into Scotland, it ſeems to have been conſiderably impaired during his baniſhment. His vaſſals, while he reſided in England, had been accuſtomed to ſome degree of independence, and he had not recovered that aſcendant over them, which a feudal chief uſually poſſeſſed. He had no reaſon to expect the concurrence of any of thoſe factions into which the nobles were divided. During the ſhort period of his ſon's proſperity, he had taken ſuch ſteps as gave riſe to an open breach with Murray and all his adherents. The partiſans of the houſe of Hamilton were his hereditary and mortal enemies. Huntly was linked in the cloſeſt confederacy with Bothwell; and thus, to the diſgrace of the nation, Lennox ſtood alone in a cauſe where both honour and humanity called ſo loudly on his countrymen to ſecond him.

IT is remarkable too, that Bothwell himſelf was preſent, and ſat as a member in that meeting of privy council, which gave directions with regard to the time and manner of his trial; and he ſtill enjoyed not only full liberty, but was received into the queen's preſence with the ſame diſtinguiſhed familiarity as formerly [t].

Lennox craves a delay.

NOTHING could be a more cruel diſappointment to the wiſhes and reſentment of a father than ſuch a premature trial; every ſtep towards which ſeemed to be taken by directions from the perſon who was himſelf accuſed of the crime, and calculated on purpoſe to conceal rather than to detect his guilt. Lennox foreſaw what would be the iſſue of this mock inquiry, and with how little ſafety to himſelf, or ſucceſs to his cauſe, he could venture to appear on the day preſixed. In his former letters, though under expreſſions the moſt reſpectful, ſome ſymptoms of his diſtruſting the queen may be diſcovered. He ſpoke out now in plain lan-

queen's warrant to the *meſſengers*, impowering them to ſummon Lennox to be preſent, is dated on the 29th. Anderſ. vol. ii. 97. He was ſummoned by public proclamation at the croſs of Edinburgh on the ſame day. Ibid. 100. He was ſummoned at his dwelling-houſes in Glaſgow and Dumbarton the 30th of March, the 1ſt and 2d days of April. Ibid. 101. He was ſummoned at Perth, April 1ſt. Ibid. 102. Though Lennox reſided at that time forty miles from Edinburgh, the citation might have been given him ſooner. Such an unneceſſary delay affords ſome cauſe for ſuſpicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the enſuing week; this gave him warning ſome days ſooner, that ſhe intended to bring on the trial without delay. But the preciſe time could not be legally or certainly known to Lennox ſooner than ten or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were ſummoned, in caſes of treaſon, forty days previous to the trial.

[t] Anderſ. vol. i. 50. 52.

BOOK VI. 1567.

guage. He complained of the injury done him, by hurrying on the trial with such illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour, to give some evidence of her sincerity in prosecuting the murder, by confining the person who was on good grounds suspected to be the author of it; and till that were done he signified his own resolution not to be present at a trial, the manner and circumstances of which were so irregular and unsatisfactory [f].

Applies for this purpose to Elizabeth.

He seems, however, to have expected little success from this application to Mary; and therefore at the same time besought Elizabeth to interpose, in order to obtain such a delay as he demanded [g]. Nothing can be a stronger proof how violently he suspected the one queen, than his submitting to implore the aid of the other, who had treated his son with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in such strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding [h].

The trial proceeds.

Neither her intreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with such a formidable retinue, that it would have been dangerous to condemn, and impossible to punish him. Besides a numerous body of his friends and vassals assembled, according to custom, from different parts of the kingdom, he was attended by a band of hired soldiers, who marched with flying colours along the streets of Edinburgh [i]. A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and Lennox was called upon to make good his accusation. In his name appeared Robert Cunningham, one of his dependants. He excused his master's absence, on account of the shortness of the time, which prevented his assembling his friends and vassals, without whose assistance he could not with safety venture to set himself in opposition to such a powerful antagonist. For this reason, he desired the court to stop proceeding, and protested, that any sen-

[f] Anders. vol. i. 52. [g] Good. vol. ii. 352.

[h] Anders. Pref. 60. See Appendix, No. XIX.

[i] Anders. vol. i. 335.

tence

BOOK IV. 1567.

tence which ſhould be paſſed at that time ought to be deemed illegal and void. Bothwell, on the other hand, inſiſted that the court ſhould inſtantly proceed to trial. One of Lennox's own letters, in which he craved of the queen to proſecute the murderers without delay, was produced. Cunningham's objections were over-ruled; and the jury, conſiſting of peers and barons of the firſt rank, found Bothwell not guilty of the crime.

Bothwell is acquitted.

No perſon appeared as an accuſer, not a ſingle witneſs was examined, nor any evidence produced againſt him. The jury, under theſe circumſtances, could do nothing elſe but acquit him. Their verdict, however, was far from gratifying the wiſhes, or ſilencing the murmurs of the people. Every circumſtance in the trial gave grounds for ſuſpicion, and excited indignation; and the judgment pronounced, inſtead of being a proof of Bothwell's innocence, was eſteemed an argument of his guilt. Paſquinades and libels were affixed to different places, expreſſing the ſentiments of the public with the utmoſt virulence of language.

The jury themſelves ſeem to have been aware of the cenſure to which their proceedings would be expoſed; and, at the ſame time that they returned their verdict acquitting Bothwell, the earl of Caithneſs proteſted, in their name, that no crime ſhould be imputed to them on that account, becauſe no accuſer had appeared, and no proof was brought of the indictment. He took notice likewiſe, that the ninth inſtead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed; a circumſtance which diſcovers the extreme inaccuracy of thoſe who prepared the indictment; and at a time when men were diſpoſed, and not without reaſon, to be ſuſpicious of every thing, this ſmall matter contributed to confirm and to increaſe their ſuſpicions[k].

Even Bothwell himſelf did not rely on the judgment which he had obtained in his favour, as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a cuſtom which was not then obſolete, publiſhed a writing, in which he offered to fight in ſingle combat any gentleman of good fame who ſhould preſume to accuſe him of being acceſſary to the murder of the king.

Mary, however, continued to treat him as if he had been cleared by the moſt unexceptionable and ſatisfactory evidence. The aſcendant he had gained over her heart, as well as over her councils, was more viſible than ever; and Lennox, who

[k] Bothw. Trial, Anderſ. vol. ii. 97, &c.

BOOK IV. 1567.

could not expect that his own person could be safe in a country where the murderer of his son had been absolved, without regard to justice, and loaded with honours, in contempt of decency; fled with precipitation towards England[l].

A parliament held, April 14.

Two days after the trial a parliament was held, at the opening of which the queen distinguished Bothwell, by appointing him to carry the sceptre before her[m]. Most of the acts passed in this assembly were calculated on purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he and his adherents were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law passed, whereby those into whose hands any paper of that kind fell were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors[n].

Remarkable law in favour of the Reformation.

But the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the protestant religion, to which at this time she gave her assent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes, of restoring it. She had of late come under new engagements to that purpose, and in consequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the protestants, by exerting himself in order to procure for them some additional security in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the queen in Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the solicitations of the general assemblies of the church, nor the intreaties of her people, could extort from Mary any con-

[l] Keith, 378. Note (d.) [m] Id. ibid. [n] Ibid. 380.

cession

ceſſion in favour of the proteſtant religion, on which the profeſſors might act with greater confidence. This, however, by the more powerful influence of Bothwell, they now obtained. An act was paſſed in this parliament, repealing all the laws, canon, civil, and municipal, adverſe to the reformed religion, and exempting ſuch as had embraced it from the penalties to which they might have been ſubjected by theſe laws, either on account of their paſt conduct or preſent profeſſion; declaring at the ſame time that their perſons, eſtates, honours, and benefices were taken under public protection, againſt every court, civil or eccleſiaſtical, that might attempt to moleſt them on account of their religious ſentiments. Thus the proteſtants, inſtead of holding their ſacred rights by no better tenure than a declaration of royal indulgence, which might be revoked at pleaſure, obtained legal and parliamentary protection in the exerciſe of their religion. By prevailing on the queen to aſſent to this law, Bothwell ſeems to have flattered himſelf that he would acquire ſuch merit both with the clergy and with the people, as might induce them to favour his ambitious ſchemes, and to connive at what he had done, or might do, in order to accompliſh them. The proteſtants accordingly, though this act was far from amounting to a legal eſtabliſhment of the reformed faith, ſeem to have conſidered it as an additional ſecurity of ſuch importance, that it was publiſhed among the laws enacted in a parliament held towards the cloſe of this year, under very different leaders.

R. C. K. IV. 1567.

EVERY

[9] I am indebted to the accuracy of Sir David Dalrymple, for pointing out (Remarks on the hiſtory of Scotland, ch. 9.) a conſiderable error into which I had fallen with reſpect to this act, by ſuppoſing it to be ſo favourable to the doctrine of the Reformation, that the parliament which met Dec. 15, could ſubſtitute nothing ſtronger or more explicit in its place, and thought it ſufficient to ratify it word for word. This error I have now corrected; but after conſidering the act with particular attention, though I am ſatisfied that it neither eſtabliſhed the reformed religion or the religion of the ſtate, nor aboliſhed popery, yet it granted ſuch new and legal ſecurity to the proteſtants, as was deemed, in that age, an acquiſition of great value. The framers of the law ſeem manifeſtly to have viewed it in this light: after reciting, "that the queen, ſince her arrival, had attempted nothing contrary to the ſtate of religion which ſhe found publicly and univerſally ſtanding, on which account ſhe was moſt worthy to be ſerved, honoured, and obeyed, &c." the act goes on, "that as ſhe intends to continue the ſame goodneſs and government in all times coming, the profeſſors of the religion aforeſaid may and ſhall have occaſion to praiſe God for her happy and gracious government, &c.: and to the effect that the profeſſors of the religion aforeſaid may aſſure themſelves to be in full ſurety thereof, and of their lands, lives, &c. and may wiſh the better will jeopard and hazard their lives and goods in her highneſs's ſervice, againſt all enemies to her, and to the commonweal of this realm, &c. therefore our ſovereign, with the advice of the whole eſtates in parliament, &c." then follow the ſtatutory clauſes mentioned in the text. The intention of paſſing the act is apparent, and it is drawn with great art. This art is peculiarly manifeſt in the concluding clauſe. In her firſt proclamation the queen had declared, that it ſhould continue

BOOK IV.

1567. Bothwell prevails on the nobles to recommend him as an husband to the queen.

Every ſtep taken by Bothwell had hitherto been attended with all the ſucceſs which his moſt ſanguine wiſhes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted by his peers of any ſhare in that crime; and their deciſion had been in ſome ſort ratified in parliament. But in a kingdom where the regal authority was ſo extremely limited, and the power of the nobles ſo formidable, he durſt not venture on the laſt action, towards which all his ambitious projects tended, without their approbation. In order to ſecure this, he, immediately after the diſſolution of parliament, invited all the nobles who were preſent to an entertainment. Having filled the houſe with his friends and dependants, and ſurrounded it with armed men [r], he opened to the company his intention of marrying the queen, whoſe conſent, he told them, he had already obtained; and demanded their approbation of this match, which, he ſaid, was no leſs acceptable to their ſovereign, than honourable to himſelf [s]. Huntly and Seaton, who were privy to all Bothwell's ſchemes, and promoted them with the utmoſt zeal; the popiſh eccleſiaſtics, who were abſolutely devoted to the queen, and ready to ſooth all her paſſions; inſtantly declared their ſatisfaction with what he had propoſed. The reſt, who dreaded the exorbitant power which Bothwell had acquired, and obſerved the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a meaſure which they could neither oppoſe nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promiſes and flattery, partly by terror and force,

April 19.

in force only until ſhe ſhould take final order concerning religion with the advice of parliament. In this act the intention of taking further order concerning religion is mentioned, probably with a view to pleaſe the queen; but it is worded with ſuch ſtudied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the queen taking ſuch final order. Parl. 1 K. Ja. VI. c. 31. In the ſame light of an important acquiſition of ſecurity to the reformed religion, this act is repreſented by the privy council in a proclamation iſſued May 23, 1567. Keith, 572. Mary's principal adherents, in a paper ſubſcribed by them Sept. 12, 1568, declare, that ſhe, "by the advice of the three eſtates, had ſatisfied the deſire of the whole nobility in an act concerning all the points of religion paſſed in the parliament held April 1567." Goodal, ii. 357. The ſame is aſſerted to be the intention and effect of this act in another public paper in the year 1570. Haynes, 621. From conſidering all theſe particulars, one need not wonder that a law "anent caſſing (as its title bears), annulling, and abrogating of all laws, acts, and conſtitutions, canone, civile, and municipal, with other conſtitutions, contrare to the religion now profeſſit within the realme," confirmed by the royal aſſent of the queen, ſhould be publiſhed among the ſtatutes ſecuring the proteſtant religion. We find accordingly, in a very rare edition of the acts of parliament, imprintit at Edinburgh by Robert Lekprevik, printar to the king's majeſtie, 6 day of April 1568, the act of April 19 inſerted among the acts of the Regent's parliament in December.

[r] Good. vol. ii. 141. [s] Anderſ. vol. i. 94.

prevailed

promiſed on all who were preſent to ſubſcribe a paper, which leaves a deeper ſtain than any occurrence in that age on the honour and character of the nation.

BOOK IV. 1567.

This paper contained the ſtrongeſt declarations of Bothwell's innocence, and the moſt ample acknowledgment of his good ſervices to the kingdom. If any future accuſation ſhould be brought againſt him on account of the king's murder, the ſubſcribers promiſed to ſtand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the moſt proper perſon ſhe could chuſe for a huſband; and if ſhe ſhould condeſcend to beſtow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in oppoſing any perſon who endeavoured to obſtruct it[r]. Among the ſubſcribers of this paper we find ſome who were the queen's chief confidents, others who were ſtrangers to her councils, and obnoxious to her diſpleaſure; ſome who faithfully adhered to her through all the viciſſitudes of her fortune, and others who became the principal authors of her ſufferings; ſome paſſionately attached to the Romiſh ſuperſtition, and others zealous advocates for the proteſtant faith[s]. No common intereſt can be ſuppoſed to have united men of ſuch oppoſite principles and parties, in recommending to their ſovereign a ſtep ſo injurious to her honour, and ſo fatal to her peace. This ſtrange coalition was the effect of much artifice, and muſt be conſidered as the boldeſt and moſt maſterly ſtroke of Bothwell's addreſs. It is obſervable, that amidſt all the altercations and mutual reproaches of the two parties which aroſe in the kingdom, this unworthy tranſaction is ſeldom mentioned. Conſcious on both ſides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, ſeeming deſirous that it ſhould remain in darkneſs, or be buried in oblivion. But as ſo many perſons who, both at that time and ever after, poſſeſſed the queen's favour ſubſcribed this paper, the ſuſpicion becomes ſtrong, that Bothwell's ambitious hopes were neither unknown to Mary nor diſapproved by her[t].

THESE

[r] Anderſ. vol. 1. 177. Keith, 382.

[s] Of all the different ſyſtems with regard to this tranſaction, that of Camden ſeems to be the leaſt accurate, and the worſt founded. He ſuppoſes that Bothwell was hated by Murray, Morton, &c. who had been his aſſociates in the murder of the king, and that they now wanted to ruin him. He affirms, at the ſame time, that the ſubſcriptions to this paper were obtained by them out of fear that Bothwell might ſhut in his hopes, and betray the whole bloody ſecret, 404. But beſides the abſurdity of ſuppoſing that any man's enemies would

BOOK IV. 1567.

These suspicions are confirmed by the most direct proofs. Melvil at that time enjoyed a considerable share in her favour. He, as well as his brother, kept a secret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom, excited universal indignation; and Melvil received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the queen's hands, and enforced it with the utmost warmth. She not only disregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the earl's rage began to abate [x]. At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice: but an advice from her met with still less regard [y].

Bothwell carries the queen by force to Dunbar.

Three days after the rising of parliament Mary went from Edinburgh to Stirling, in order to visit the prince her son.

would contribute towards raising him to such high dignity, on the uncertain hopes of being able afterwards to deprive him of it; besides the impossibility of accomplishing such a marriage, if it had been either unknown to the queen, or disagreeable to her: we may observe that this supposition is destroyed by the direct testimony of the queen herself, who ascribes the consent of the nobles to Bothwell's artifice, *who purchased it by giving them to understand that we were content therewith.* Anderf. vol. i. 94. 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Lesly ascribing this paper to Murray and his faction. Anderf. vol. i. 26. The Bishop himself was one of the persons who subscribed it. Keith, 383. The king's commissioners, at the conference held at York 1568, pretended that none of the nobles, except the earl of Huntly, would subscribe this paper till a warrant from the queen was produced, by which they were allowed to do so: this warrant they had in their custody, and exhibited. Anderf. vol. iv. part 2. 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the 19th, and that next day they obtained the approbation of what they had done, by way of security to themselves, 355.

y Melv. 158. According to Melvil, Lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 156. But it has been observed, that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of Lord Herries against the marriage happened before those made by Melvil himself, 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the queen, when she was seized, April 24. 158. The time which must have elapsed, by this account of the matter, was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

x Anderf. vol. i. 196.

Bothwell

Bothwell had now brought his ſchemes to full maturity, and every precaution being taken which could render it ſafe to enter upon the laſt and deciſive ſtep, the natural impetuoſity of his ſpirit did not ſuffer him to deliberate any longer. Under pretence of an expedition againſt the freebooters on the borders, he aſſembled his followers; and marching out of Edinburgh with a thouſand horſe, turned ſuddenly towards Linlithgow, met the queen on her return near that place, diſperſed her ſlender train without reſiſtance, ſeized on her perſon, and conducted her, together with a few of her courtiers, as a priſoner to his caſtle of Dunbar. She expreſſed neither ſurpriſe, nor terror, nor indignation, at ſuch an outrage committed on her perſon, and ſuch an inſult offered to her authority, but ſeemed to yield without ſtruggle or regret[y]. Melvil was at that time one of her attendants; and the officer by whom he was ſeized informed him, that nothing was done without the queen's own conſent[z]. If we may rely on the letters publiſhed in Mary's name, the ſcheme had been communicated to her, and every ſtep towards it was taken with her participation and advice[a]. BOOK IV. 1567. April 24.

Both the queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuſe for her conduct; and while ſhe could plead that it was owing to force rather than choice, ſhe hoped that her reputation, among foreigners at leaſt, would eſcape without cenſure, or be expoſed to leſs reproach. Bothwell could not help diſtruſting all the methods which had hitherto been uſed for vindicating him from any concern in the murder of the king. Something was ſtill wanting for his ſecurity, and for quieting his guilty fears. This was a pardon under the great ſeal. By the laws of Scotland the moſt heinous crime muſt be mentioned by name in a pardon, and then all leſſer offences are deemed to be included under the general clauſe, *and all other crimes whatſoever*[b]. To ſeize the perſon of the prince is high treaſon; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accuſed.

Is divorced from his own wife.

BOTHWELL having now got the queen's perſon into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed conſummating his ſchemes. The firſt ſtep towards this was to have his marriage with lady Jane Gordon, the earl of Huntly's ſiſter, diſſolved. In order to accompliſh that, in a manner con-

y Keith, 383. z Melv. 158.
a Good. vol. ii. 37. b Parl. 6 Jac. IV. c. 62.
c Anderſ. vol. iv. part ii. 61.

ſiſtent

BOOK III. 1567.

sistent with the ideas of the queen on one hand, and with the sentiments of his countrymen on the other, two different processes became necessary: one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a suit, in his own name, in the spiritual court of the archbishop of
April 27. St. Andrew's, the jurisdiction of which the queen had removed, by a special commission granted for this purpose, and pleaded, that lady Jane and himself being cousins within the prohibited degrees, and having married without a papal dispensation, their union was null from the beginning[d]. At the same time he prevailed with lady Jane to apply to the protestant court of commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the course of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be illegal and null, the other pronounced a sentence of divorce[e].

WHILE this infamous transaction was carrying on the queen resided at Dunbar; detained as a prisoner, but treated
May 3. with the greatest respect. Soon after Bothwell, with a numerous train of his dependants, conducted her to Edinburgh, but, instead of lodging her in the palace of Holyrood-house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution necessary. In an house unfortified, and of easy access, the queen might have been rescued without difficulty out of his hands. In a place of strength she was secured from all the attempts of his enemies.

ONE small difficulty still remained to be surmounted. As the queen was kept in a sort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary

[d] In her own time, it was urged as an aggravation of the queen's guilt, that she gave her consent to marry the husband of another woman; and the charge has been often repeated since. But, according to Mary's own ideas, consonant to the principles of her religion, the marriage of Bothwell with lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having listened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to the courtship of a man lately married under her own eye, in the church of her palace. Appendix, No. XX. Every consideration should have restrained her from forming this union, which to her people must have appeared odious and shocking. Remarks on the History of Scotland, p. 199, &c.

[e] Anders. i. 132. Append. No. XX.

appeared

appeared in the court of ſeſſion; and, in preſence of the chancellor and other judges, and ſeveral of the nobility, declared that ſhe was now at full liberty, and though Bothwell's violence in ſeizing her perſon had at firſt excited her indignation, yet his reſpectful behaviour ſince that time had not only appeaſed her reſentment, but determined her to raiſe him to higher honours [f]. BOOK IV. 1567.

WHAT theſe were ſoon became public. The title of duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the queen, which had ſo long been the object of his wiſhes, and the motive of his crimes, was ſolemnized. The ceremony was performed in public, according to the rites of the proteſtant church, by Adam Bothwell, biſhop of Orkney, one of the few prelates who had embraced the Reformation, and on the ſame day was celebrated in private, according to the forms preſcribed by the popiſh religion [g]. The boldneſs with which Craig, the miniſter who was commanded to publiſh the banns, reſiſted againſt the deſign; the ſmall number of the nobles who were preſent at the marriage; and the ſullen and diſreſpectful ſilence of the people when the queen appeared in public, were manifeſt ſymptoms of the violent and general diſſatisfaction of her own ſubjects. The refuſal of Du Croc, the French ambaſſador, to be preſent at the nuptial ceremony or entertainment, diſcovers the ſentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be juſtified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an inconteſtable proof of her raſhneſs, if not of her guilt. Is married to the queen.

MARY'S firſt care was to offer ſome apology for her conduct, to the courts of France and England. The inſtructions to her ambaſſadors ſtill remain, and are drawn by a maſterly hand. But under all the artificial and falſe colouring ſhe employs, it is eaſy to diſcover, not only that many of the ſteps ſhe had taken were unjuſtifiable, but that ſhe herſelf was conſcious that they could not be juſtified [h].

THE title of king was the only thing which was not beſtowed upon Bothwell. Notwithſtanding her attachment to him, Mary remembered the inconveniencies which had ariſen from the raſh advancement of her former huſband to that honour. She agreed, however, that he ſhould ſign, in token of conſent, all the public writs iſſued in her name [i]. But though the queen withheld from him the title of king, he

[f] And. i. 87.
[g] Id. 136. ii. 276.
[h] And. i. 89.
[i] Good. ii. 60.

poſſeſſed,

BOOK IV. 1567.

poſſeſſed, nevertheleſs, regal power in its full extent. The queen's perſon was in his hands; ſhe was ſurrounded more cloſely than ever by his creatures; none of her ſubjects could obtain audience without his permiſſion; and, unleſs in his own preſence, none but his confidents were permitted to converſe with her[k]. The Scottiſh monarchs were accuſtomed to live among their ſubjects as fathers or as equals, without diſtruſt, and with little ſtate; armed guards ſtanding at the doors of the royal apartment, difficulty of acceſs, diſtance and retirement, were things unknown and unpopular.

Endeavours to become maſter of the prince's perſon.

THESE precautions were neceſſary for ſecuring to Bothwell the power which he had acquired. But, without being maſter of the perſon of the young prince, he eſteemed all that he had gained to be precarious and uncertain. The queen had committed her ſon to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was ſo violently ſuſpected of having murdered his father. Bothwell, however, laboured to get the prince into his power, with an anxiety which gave riſe to the blackeſt ſuſpicions. All his addreſs, as well as authority, were employed to perſuade, or to force Mar into a compliance with his demands[l]. And it is no ſlight proof, both of the firmneſs and dexterity of that nobleman, that he preſerved a life of ſo much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts againſt it.

General indignation which the queen's conduct excited.

THE eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months: a king murdered with the utmoſt cruelty, in the prime of his days, and in his capital city; the perſon ſuſpected of that odious crime ſuffered not only to appear publicly in every place, but admitted into the preſence of the queen, diſtinguiſhed by her favour, and intruſted with the chief direction of her affairs; ſubjected to a trial which was carried on with moſt ſhameleſs partiality, and acquitted by a ſentence which ſerved only to confirm the ſuſpicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and after all this, inſtead of meeting with the ignominy due to his actions, or the puniſhment merited by his crimes, permitted openly, and without oppoſition, to marry a queen, the wife of the prince whom he had aſſaſſinated, and the guardian of thoſe laws which he had been guilty of violating. Such a quick ſucceſſion of inci-

[k] And. i. 136. [l] Melv. 160. Buch. 361.

dents,

dents, ſo ſingular and ſo deteſtable, in the ſpace of three months, is not to be found in any other hiſtory. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durſt hardly appear any where in public; and after ſuffering ſo many atrocious deeds to paſs with impunity, they were univerſally reproached as men void of courage, or of humanity, as equally regardleſs of the reputation of their queen and the honour of their country[m].

The nobles combine againſt her and Bothwell.

THESE reproaches rouſed the nobles, who had been hitherto amuſed by Bothwell's artifices, or intimidated by his power. The manner in which he exerciſed the authority which he acquired, his repeated attempts to become maſter of the prince's perſon, together with ſome raſh threatenings againſt him, which he let fall[n], added to the violence and promptitude of their reſolutions. A conſiderable body of them aſſembled at Stirling, and entered into an aſſociation for the defence of the prince's perſon. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindſay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the ſecretary, were the heads of this confederacy[o]. Stewart earl of Athol was remarkable for an uniform and bigotted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the ſafety of the prince, overcame, on this occaſion, all conſiderations of religion, and united him with the moſt zealous proteſtants. Several of the other nobles acted, without queſtion, from a laudable concern for the ſafety of the prince and the honour of their country. But the ſpirit which ſome of them diſcovered during the ſubſequent revolutions, leaves little room to doubt, that ambition or reſentment were the real motives of their conduct; and that, on many occaſions, while they were purſuing ends juſt and neceſſary, they were actuated by principles and paſſions altogether unjuſtifiable.

THE firſt accounts of this league filled the queen and Bothwell with great conſternation. They were no ſtrangers to the ſentiments of the nation with reſpect to their conduct; and though their marriage had not met with public oppoſition, they knew that it had not been carried on without the ſecret diſguſt and murmurings of all ranks of men. They foreſaw the violence with which this indignation would burſt out, after having been ſo long ſuppreſſed; and in order to prepare for the ſtorm, Mary iſſued a proclamation, May 28.

[m] Anderſ. vol. i. 128. 134. Melv. 183. See Appendix, No. XXI.
[n] Melv. 162. [o] Keith, 394.

requiring

BOOK IV. 1567.

requiring her ſubjects to take arms, and to attend her huſband by a day appointed. At the ſame time, ſhe publiſhed a ſort of manifeſto, in which ſhe laboured to vindicate her government from thoſe imputations which it had been loaded with, and employed the ſtrongeſt terms to expreſs her concern for the ſafety and welfare of the prince her ſon. Neither of theſe produced any conſiderable effect. Her proclamation was ill obeyed, and her manifeſto met with little credit [p].

The queen and Bothwell retire to Dunbar.

THE confederate lords carried on their preparations with no leſs activity, and with much more ſucceſs. Among a warlike people, men of ſo much power and popularity found it an eaſy matter to raiſe an army. They were ready to march before the queen and Bothwell were in a condition to reſiſt them. The caſtle of Edinburgh was the place whither the queen ought naturally to have retired, and there her perſon might have been perfectly ſafe. But the confederates had fallen on means to ſhake or corrupt the fidelity of ſir James Balfour, the deputy governor, and Bothwell durſt not commit to him ſuch an important truſt. He conducted the queen to the caſtle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen diſguiſed in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town againſt them. They entered without oppoſition, and were inſtantly joined by many of the citizens, whoſe zeal became the firmeſt ſupport of their cauſe [q].

June 6.

IN order to ſet their own conduct in the moſt favourable light, and to rouſe the public indignation againſt Bothwell, the nobles publiſhed a declaration of the motives which had induced them to take arms. All Bothwell's paſt crimes were enumerated, all his wicked intentions diſplayed and aggravated, and every true Scotchman was called upon to join them in avenging the one and in preventing the other [r].

MEANWHILE Bothwell aſſembled his forces at Dunbar, and as he had many dependants in that corner, he ſoon gathered ſuch ſtrength, that he ventured to advance towards the confederates. Their troops were not numerous; the ſuddenneſs and ſecrecy of their enterpriſe gave their friends at a diſtance no time to join them; and as it does not appear they were ſupported either with money or fed with hopes by the queen of England, they could not have kept long in a

[p] Keith, 387. 395, 396. [q] Keith, 398. [r] Anderſ. vol. i. 128.

body.

body. But on the other hand, Bothwell durſt not riſk a delay. His army followed him with reluctance in this quarrel, and ſerved him with no cordial affection; ſo that his only hope of ſucceſs was in ſurprizing the enemy, or in ſtriking the blow before his own troops had leiſure to recollect themſelves, or to imbibe the ſame unfavourable opinion of his actions, which had ſpread over the reſt of the nation. Theſe motives determined the queen to march forward, with an inconſiderable and fatal ſpeed.

The nobles march againſt them. July 15.

On the firſt intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almoſt on the ſame ground which the Engliſh had occupied before the battle of Pinkie. The numbers on both ſides were nearly equal; but there was no equality in point of diſcipline. The queen's army conſiſted chiefly of a multitude, haſtily aſſembled, without courage or experience in war. The troops of the confederates were compoſed of gentlemen of rank and reputation, followed by their moſt truſty dependants, who were no leſs brave than zealous[1].

An accommodation attempted.

Le Croc the French ambaſſador, who was in the field, laboured, by negociating both with the queen and the nobles, to put an end to the quarrel without the effuſion of blood. He repreſented to the confederates the queen's inclinations towards peace, and her willingneſs to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not againſt the queen, but againſt the murderer of her huſband; and if he were given up to juſtice, or baniſhed from her preſence, ſhe ſhould find them ready to yield the obedience which is due from ſubjects to their ſovereign. Glencairn added, that they did not come to aſk pardon for any offence, but to puniſh thoſe who had offended. Such haughty anſwers convinced the ambaſſador, that his mediation would be ineffectual, and that their paſſions were too high to allow them to liſten to any pacific propoſitions, or to think of retreating after having proceeded ſo far[2].

The queen's army was poſted to advantage, on a riſing ground. The confederates advanced to the attack reſolutely, but ſlowly, and with the caution which was natural on that unhappy field. Her troops were alarmed at their approach, and diſcovered no inclination to fight. Mary endeavoured to animate them; ſhe wept, ſhe threatened, ſhe reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the reſt

[1] Keith, 401. [2] Cott. vol. li. 48, 49. [3] Keith, 402.

BOOK IV. 1567.

ſtood wavering and irreſolute, and ſome began to ſteal out of the field. Bothwell attempted to inſpirit them, by offering to decide the quarrel, and to vindicate his own innocence, in ſingle combat with any of his adverſaries. Kirkaldy of Grange, Murray of Tullibardin, and lord Lindſay, contended for the honour of entering the liſts againſt him. But this challenge proved to be a mere bravade. Either the conſciouſneſs of guilt deprived Bothwell of his wonted courage, or the queen, by her authority, forbad the combat[x].

AFTER the ſymptoms of fear diſcovered by her followers, Mary would have been inexcuſable had ſhe hazarded a battle. To have retreated in the face of an enemy who had already ſurrounded the hill on which ſhe ſtood, with part of their cavalry, was utterly impracticable. In this ſituation, ſhe was under the cruel neceſſity of putting herſelf into the hands of thoſe ſubjects who had taken arms againſt her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the conſent and in the name of the leaders of the party, promiſed that, on condition ſhe would diſmiſs Bothwell from her preſence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their ſovereign[y].

Bothwell obliged to fly.

DURING this parley, Bothwell took his laſt farewell of the queen, and rode off the field with a few followers. This diſmal reverſe happened exactly one month after that marriage which had coſt him ſo many crimes to accompliſh, and which leaves ſo foul a ſtain on Mary's memory.

Mary ſurrenders to the nobles.

As ſoon as Bothwell retired, Mary ſurrendered to Kirkaldy, who conducted her toward the confederate army, the leaders of which received her with much reſpect; and Morton, in their name, made ample profeſſions of their future loyalty and obedience[z]. But ſhe was treated by the common ſoldiers with the utmoſt inſolence and indignity. As ſhe marched along, they poured upon her all the opprobrious names which are beſtowed only on the loweſt and moſt infamous criminals. Wherever ſhe turned her eyes, they held up before her a ſtandard, on which was painted the dead body of the late king, ſtretched on the ground, and the young prince kneeling before it, and uttering theſe words, "Judge and revenge my cauſe, O Lord!" Mary turned with horror from ſuch a ſhocking ſight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the moſt bitter complaints,

[x] Cald. vol. ii. 50.
[z] Good. vol. ii. 165.
[y] Good. vol. ii. 164. Melv. 165.

ſhe

ſhe melted into tears, and could hardly be kept from ſinking to the ground. The confederates conducted her towards Edinburgh; and in ſpite of many delays, and after looking, with the fondneſs and credulity natural to the unfortunate, for ſome extraordinary relief, ſhe arrived there. The ſtreets were covered with multitudes, whom zeal or curioſity had drawn together, to behold ſuch an unuſual ſcene. The queen, worn out with fatigue, covered with duſt, and bedewed with tears, was expoſed as a ſpectacle to her own ſubjects, and led to the provoſt's houſe. Notwithſtanding all her arguments and intreaties, the ſame ſtandard was carried before her, and the ſame inſults and reproaches repeated[i]. A woman, young, beautiful, and in diſtreſs, is naturally the object of compaſſion. The compariſon of their preſent miſery with their former ſplendour, uſually ſoftens us in favour of illuſtrious ſufferers. But the people beheld the deplorable ſituation of their ſovereign with inſenſibility; and ſo ſtrong was their perſuaſion of her guilt, and ſo great the violence of their indignation, that the ſufferings of their queen did not, in any degree, mitigate their reſentment, or procure her that ſympathy which is ſeldom denied to unfortunate princes.

[i] Melv. 166. Buch. 364.

BOOK V.

BOOK V.

1567. Deliberations of the nobles concerning the queen.

THE confederate lords had proceeded to ſuch extremities againſt their ſovereign, that it now became almoſt impoſſible for them either to ſtop ſhort, or to purſue a courſe leſs violent. Many of the nobles had refuſed to concur with them in their enterpriſe; others openly condemned it. A ſmall circumſtance might abate that indignation with which the multitude were at preſent animated againſt the queen, and deprive them of that popular applauſe which was the chief foundation of their power. Theſe conſiderations inclined ſome of them to treat the queen with great lenity.

BUT, on the other hand, Mary's affection for Bothwell continued as violent as ever; ſhe obſtinately refuſed to hearken to any propoſal for diſſolving their marriage, and determined not to abandon a man, for whoſe love ſhe had already ſacrificed ſo much[a]. If they ſhould allow her to recover the ſupreme power, the firſt exertion of it would be to recall Bothwell; and they had reaſon, both from his reſentment, from her conduct, and from their own, to expect the ſevereſt effects of her vengeance. Theſe conſiderations ſurmounted every other motive; and reckoning themſelves abſolved, by Mary's incurable attachment to Bothwell, from the engagements which they had come under when ſhe yielded herſelf a priſoner, they, without regarding the duty which they owed her as their queen, and without conſulting the reſt of the nobles, carried her next evening, under a ſtrong guard, to the caſtle of Lochlevin, and ſigned a warrant to William Douglas, the owner of it, to detain her as a priſoner. This caſtle is ſituated in a ſmall iſland, in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the earl of Murray's mother. In this place, under ſtrict cuſtody, with a few attendants, and ſubjected to the inſults of a haughty woman, who boaſted daily of being the lawful wife of James V. Mary ſuffered all the rigour and miſeries of captivity[b].

They impriſon her in Lochlevin.

IMMEDIATELY after the queen's impriſonment, the confederates were at the utmoſt pains to ſtrengthen their party; they entered into new bonds of aſſociation; they aſſumed the title of *Lords of the ſecret Council*, and without any other right, arrogated to themſelves the whole regal authority. One of their firſt acts of power was, to ſearch the city of Edin-

[a] Keith, 419. 446. 449. Melv. 167. See Appendix, No. XXII.
[b] Keith, 403. Note (*b*).

burgh

burgh for ſuch as had been concerned in the murder of the king. This ſhow of zeal gained reputation to themſelves, and threw an oblique reflection on the queen for her remiſſneſs. Several ſuſpected perſons were ſeized. Captain Blackadder and three others were condemned and executed. But no diſcovery of importance was made. If we believe ſome hiſtorians, they were convicted by ſufficient evidence. If we give credit to others, their ſentence was unjuſt, and they denied, with their laſt breath, any knowledge of the crime for which they ſuffered [c]. 1567.

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fulleſt evidence of her guilt. Bothwell having left in the caſtle of Edinburgh a caſket, containing ſeveral ſonnets and letters written with the queen's own hand; he now ſent one of his confidents to bring to him this precious depoſite. But as his meſſenger returned, he was intercepted, and the caſket ſeized by Morton [d]. The contents of it were always produced by the party as the moſt ample juſtification of their own conduct; and to theſe they continually appealed as the moſt unanſwerable proof of their not having loaded their ſovereign with the imputation of imaginary crimes [e].

But the confederates, notwithſtanding their extraordinary ſucceſs, were ſtill far from being perfectly at eaſe. That ſo ſmall a part of the nobles ſhould pretend to diſpoſe of the perſon of their ſovereign, or to aſſume the authority which belonged to her, without the concurrence of the reſt, appeared to many of that body to be unprecedented and preſumptuous. Several of theſe were now aſſembled at Hamilton, in order to deliberate what courſe they ſhould hold in this difficult conjuncture. The confederates made ſome attempts towards a coalition with them, but without effect. They employed the mediation of the aſſembly of the church, to draw them to a perſonal interview at Edinburgh, but with no better ſucceſs. That party, however, though its numbers were formidable, and the power of its leaders great, ſoon loſt reputation by the want of unanimity and vigour; all its conſultations evaporated in murmurs and complaints, and no ſcheme was concerted for obſtructing the progreſs of the confederates [f]. Some of the nobles favour the queen.

There appeared ſome proſpect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her Elizabeth interpoſes in her behalf.

[c] Cald. vol. ii. 53 Crawf. Mem. 35. [d] Anderſ. vol. ii. 92. Good. vol. ii. 90.
[e] See Diſſertation at the end of the Hiſtory. [f] Keith, 407.

BOOK V. 1567.

knowledge [g]. Though ſhe was far from being diſpleaſed at ſeeing the affairs of that kingdom embroiled, or a rival, whom ſhe hated, reduced to diſtreſs; ſhe neither wiſhed that it ſhould be in the power of the one faction entirely to ſuppreſs the other, nor could ſhe view the ſteps taken by the confederates without great offence. Notwithſtanding the popular maxims by which ſhe governed her own ſubjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their ſovereign, which they had no right to control, and had offered violence to her perſon, which it was their duty to eſteem ſacred. They had ſet a dangerous example to other ſubjects, and Mary's cauſe became the common cauſe of princes [h]. If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by conſiderations of intereſt, it was on this occaſion. Mary, in her preſent condition, degraded from her throne, and covered with the infamy attending an accuſation of ſuch atrocious crimes, could be no longer the object of Elizabeth's jealouſy, either as a woman or as a queen. Sympathy with a ſovereign in diſtreſs ſeems, for a moment, to have touched a heart not very ſuſceptible of tender ſentiments; and, while theſe were yet warm, ſhe diſpatched

June 30. Throkmorton into Scotland, with power to negotiate both with the queen and with the confederates. In his inſtructions there appears a remarkable ſolicitude for Mary's liberty, and even for her reputation; and the terms upon which ſhe propoſed to re-eſtabliſh concord between the queen and her ſubjects, appear to be ſo reaſonable and well digeſted, as might have enſured the ſafety and happineſs of both. Zealous as Throkmorton was to accompliſh this, all his endeavours and addreſs proved ineffectual. He found not only the confederate nobles, but the nation in general, ſo far alienated from the queen, and ſo much offended with the indecent precipitancy of her marriage with the reputed murderer of her former huſband, as to be incapable of liſtening to any propoſition in her favour.

DURING the ſtate of anarchy occaſioned by the impriſonment of the queen, and the diſſolution of the eſtabliſhed government, which afforded ſuch ample ſcope for political ſpeculation, four different ſchemes had been propoſed for the ſettlement of the nation. One, that Mary ſhould be replaced upon the throne, but under various and ſtrict limitations. The ſecond, that ſhe ſhould reſign the crown to

[g] Keith, 415. [h] Id. 412. 415.

her

her ſon, and retiring out of the kingdom, ſhould reſide, during the remainder of her days, either in England or in France. The third, that Mary ſhould be brought to public trial for her crimes, and after conviction, of which no doubt was entertained, ſhould be kept in perpetual impriſonment. The fourth, that after trial and condemnation, capital puniſhment ſhould be inflicted upon her. Throkmorton, though diſpoſed, as well by his own inclination as in conformity to the ſpirit of his inſtructions, to view matters in the light moſt favourable to Mary, informed his court, that the milder ſchemes, recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution. BOOK V. 1567.

In juſtification of this rigour, the confederates maintained that Mary's affection for Bothwell was ſtill unabated, and openly avowed by her; that ſhe rejected with diſdain every propoſal for diſſolving their marriage; and declared, that ſhe would forego every comfort, and endure any extremity, rather than give her conſent to that meaſure. While theſe were her ſentiments, they contended, that concern for the public welfare, as well as attention to their own ſafety, rendered it neceſſary to put it out of the queen's power to reſtore a daring man, exaſperated by recent injuries, to his former ſtation, which muſt needs prove fatal to both. Notwithſtanding their ſolicitude to conciliate the good-will of Elizabeth, they foreſaw clearly what would be the effect, at this juncture, of Throkmorton's interpoſition in behalf of the queen, and that ſhe, elated with the proſpect of protection, would refuſe to liſten to the overtures which they were about to make to her. For this reaſon they peremptorily denied Throkmorton acceſs to their priſoner; and what propoſitions he made to them in her behalf they either refuſed or eluded [i].

Meanwhile they deliberated with the utmoſt anxiety concerning the ſettlement of the nation, and the future diſpoſal of the queen's perſon. Elizabeth, obſerving that Throkmorton made no progreſs in his negotiations with them, and that they would liſten to none of his demands in Mary's favour, turned towards that party of the nobles who were aſſembled at Hamilton, incited them to take arms in order to reſtore their queen to liberty, and promiſed to aſſiſt them in ſuch an attempt to the utmoſt of her power [k]. But they diſcovered no greater union and vigour than formerly, and, behaving like men who had given up all concern Schemes of the confederate nobles.

[i] Keith, 417. 427.

[k] See Appendix, No. XXIII.

BOOK V. 1567.

either for their queen or their country, tamely allowed an inconſiderable part of their body, whether we conſider it with reſpect to numbers or to power, to ſettle the government of the kingdom, and to diſpoſe of the queen's perſon at pleaſure. Many conſultations were held, and various opinions aroſe with regard to each of theſe. Some ſeemed deſirous of adhering to the plan on which the confederacy was at firſt formed; and after puniſhing the murderers of the king, and diſſolving the marriage with Bothwell; after providing for the ſafety of the young prince, and the ſecurity of the proteſtant religion; they propoſed to reeſtabliſh the queen in the poſſeſſion of her legal authority. The ſucceſs with which their arms had been accompanied, inſpired others with bolder and more deſperate thoughts, and nothing leſs would ſatisfy them than the trial, the condemnation, and puniſhment of the queen herſelf, as the principal conſpirator againſt the life of her huſband and the ſafety of her ſon [l]: the former was Maitland's ſyſtem, and breathed too much of a pacific and moderate ſpirit, to be agreeable to the temper or wiſhes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durſt not or would not venture on ſuch an unprecedented and audacious deed [m].

They oblige the queen to reſign the government.

BOTH parties agreed at laſt upon a ſcheme, neither ſo moderate as the one, nor ſo daring as the other. Mary was to be perſuaded or forced to reſign the crown; the young prince was to be proclaimed king, and the earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of regent. With regard to the queen's own perſon, nothing was determined. It ſeems to have been the intention of the confederates to keep her in perpetual impriſonment; but in order to intimidate herſelf, and to overawe her partiſans, they ſtill reſerved to themſelves the power of proceeding to more violent extremes.

IT was obvious to foreſee difficulties in the execution of this plan. Mary was young, ambitious, high-ſpirited, and accuſtomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which ſhe was born to enjoy, to become dependant on her own ſubjects, to conſent to her own bondage, and to inveſt thoſe perſons whom ſhe conſidered as the authors of all her calamities with that honour and authority of which ſhe

[l] Keith, 420, 421, 422. 582.

[m] The intention of putting the queen to death ſeems to have been carried on by ſome of her ſubjects: at this time we often find Elizabeth boaſting that Mary owed her life to her interpoſition. Digges's Compl. Amb. 14, &c. See Append. No. XVIII.

herſelf

herſelf was ſtripped, were points hard to be gained. Theſe, however, the confederates attempted, and they did not want means to inſure ſucceſs. Mary had endured, for ſeveral weeks, all the hardſhips and terror of a priſon; no proſpect of liberty appeared; none of her ſubjects had either taken arms, or ſo much as ſolicited her relief [n]; no perſon in whom ſhe could confide was admitted into her preſence; even the ambaſſadors of the French king, and queen of England, were refuſed acceſs to her. In this ſolitary ſtate, without a counſellor or a friend, under the preſſure of diſtreſs and the apprehenſion of danger, it was natural for a woman to hearken almoſt to any overtures. The confederates took advantage of her condition and of her fears. They employed Lord Lindſay, the fierceſt zealot in the party, to communicate their ſcheme to the queen, and to obtain her ſubſcription to thoſe papers which were neceſſary for rendering it effectual. He executed his commiſſion with harſhneſs and brutality. Certain death was before Mary's eyes if ſhe refuſed to comply with his demands. At the ſame time ſhe was informed by Sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the perſons among the confederates who were moſt attentive to her intereſt, that a reſignation extorted by fear, and granted during her impriſonment, was void in law, and might be revoked as ſoon as ſhe recovered liberty. Throkmorton, by a note which he found means of conveying to her, ſuggeſted the ſame thing [o]. Deference to their opinion, as well as concern for her own ſafety, obliged her to yield to every thing which was required, and to ſign all the papers which Lindſay preſented to her. By one of theſe, ſhe reſigned the crown, renounced all ſhare in the government of the kingdom, and conſented to the coronation of the young king. By another, ſhe appointed the earl of Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, ſhe ſubſtituted ſome other noblemen in Murray's place, if he ſhould refuſe the honour which was deſigned for him. Mary, when ſhe ſubſcribed theſe deeds, was bathed in tears; and while ſhe gave away, as it were with her own hands, the ſceptre which ſhe had ſwayed ſo long, ſhe felt a pang of grief and indignation, one of the ſevereſt, perhaps, which can touch the human heart [p].

BOOK V. 1567.

July 24.

THE confederates endeavoured to give this reſignation all the weight and validity in their power, by proceeding without delay to crown the young prince. The ceremony was per-

James VI. crowned, and Murray choſen regent.

[n] Keith, 425.
[o] Keith, 425. Note (b). Melv. 169.
[p] Keith, 430. Crawf. Mem. 38.

BOOK V. 1567.

formed at Stirling, on the twenty-ninth of July, with much ſolemnity, in preſence of all the nobles of the party, a conſiderable number of leſſer barons, and a great aſſembly of the people. From that time all public writs were iſſued, and the government carried on, in the name of James VI[9].

No revolution ſo great was ever effected with more eaſe, or by means ſo unequal to the end. In a warlike age, and in leſs time than two months, a part of the nobles, who neither poſſeſſed the chief power nor the greateſt wealth in the nation, and who never brought three thouſand men into the field, ſeized, impriſoned, and dethroned their queen, and without ſhedding a ſingle drop of blood, ſet her ſon, an infant of a year old, on the throne.

Reaſonings of both parties.

DURING this rapid progreſs of the confederates, the eyes of all the nation were turned on them with aſtoniſhment; and various and contradictory opinions were formed concerning the extraordinary ſteps which they had taken.

EVEN under the ariſtocratical form of government which prevails in Scotland, ſaid the favourers of the queen, and notwithſtanding the exorbitant privileges of the nobles, the prince poſſeſſes conſiderable power, and his perſon is treated with great veneration. No encroachments ſhould be made on the former, and no injury offered to the latter, but in caſes where the liberty and happineſs of the nation cannot be ſecured by any other means. Such caſes ſeldom exiſt, and it belongs not to any part, but to the whole, or at leaſt to a majority of the ſociety, to judge of their exiſtence. By what action could it be pretended that Mary had invaded the rights or property of her ſubjects, or what ſcheme had ſhe formed againſt the liberty and conſtitution of the kingdom? Were fears, and ſuſpicions, and ſurmiſes, enough to juſtify the impriſoning and the depoſing a queen, to whom the crown deſcended from ſo long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her preſence. The murderers of the king might have been brought to condign puniſhment, the ſafety of the prince have been ſecured, and the proteſtant religion have been eſtabliſhed, without wreſting the ſceptre out of her hands, or condemning her to perpetual impriſonment. Whatever right a free parliament might have had to proceed to ſuch a rigorous concluſion, or whatever name its determinations might have merited, a ſentence of this nature, paſſed by a ſmall part of the nobility, without acknowledging or conſulting the reſt of the nation, muſt be deemed

[9] Keith, 437.

a rebel-

a rebellion againſt the government, and a conſpiracy againſt the perſon of their ſovereign. BOOK V.

THE partiſans of the confederates reaſoned very differently. It is evident, ſaid they, that Mary either previouſly gave conſent to the king's murder, or did afterwards approve of that horrid action. Her attachment to Bothwell, the powers and honours with which ſhe loaded him, the manner in which ſhe ſuffered his trial to be carried on, and the indecent ſpeed with which ſhe married a man ſtained with ſo many crimes, raiſe ſtrong ſuſpicions of the former, and put the latter beyond all doubt. To have ſuffered the ſupreme power to continue in the hands of an ambitious man, capable of the moſt atrocious and deſperate actions, would have been diſgraceful to the nation, diſhonourable to the queen, and dangerous to the prince. Recourſe was therefore had to arms. The queen had been compelled to abandon a huſband ſo unworthy of herſelf. But her affection toward him ſtill continuing unabated; her indignation againſt the authors of this ſeparation being viſible, and often expreſſed in the ſtrongeſt terms; they, by reſtoring her to her ancient authority, would have armed her with power to deſtroy themſelves, have enabled her to recal Bothwell, and have afforded her an opportunity of purſuing ſchemes fatal to the nation with greater eagerneſs, and with more ſucceſs. Nothing therefore remained, but by one bold action to deliver themſelves and their country from all future fears. The expedient they had choſen was no leſs reſpectful to the royal blood, than neceſſary for the public ſafety. While one prince was ſet aſide as incapable of governing, the crown was placed on his head who was the undoubted repreſentative of their ancient kings. 1567.

WHATEVER opinion poſterity may form on comparing the arguments of the two contending parties, whatever ſentiments we may entertain concerning the juſtice or neceſſity of that courſe which the confederates held, it cannot be denied that their conduct, ſo far as regarded themſelves, was extremely prudent. Other expedients, leſs rigorous towards Mary, might have been found for ſettling the nation; but, after the injuries which they had already offered the queen, there was none ſo effectual for ſecuring their own ſafety or perpetuating their own power.

To a great part of the nation the conduct of the confederates appeared not only wiſe, but juſt. The king's acceſſion to the throne was every where proclaimed, and his authority ſubmitted to without oppoſition. Though ſeveral of the nobles were ſtill aſſembled at Hamilton, and ſeemed to be entering into ſome combination againſt his government, an aſſocia-

BOOK V.

association for supporting it was formed, and signed by so many persons of power and influence throughout the nation, as entirely discouraged the attempt [r].

1567. Murray assumes the government.

The return of the earl of Murray about this time added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and at their desire he now returned. He seemed at first unwilling to accept the office of regent. This hesitation cannot be ascribed to the scruples either of diffidence or of duty. Murray wanted neither the abilities nor the ambition which entitled him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act; to balance the strength and resources of the two contending factions, and to examine whether the foundation on which his future fame and success must rest were sound and firm.

Before he declared his final resolution he waited on Mary at Lochlevin. This visit to a sister, and a queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner [s], expostulated so warmly with the queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to despair [t]. This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

August 22. Soon after his return from Lochlevin, Murray accepted the office of regent, and began to act in that character without opposition.

Fate of Bothwell. Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head in that

[r] Anders. vol. ii. 231. [s] Keith, 96. [t] Ibid. 445, 446.

country

country againſt his enemies, or even to ſecure himſelf from their purſuit, he fled for ſhelter to his kinſman the biſhop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney Iſles. Hunted from place to place, deſerted by his friends, and accompanied by a few retainers as deſperate as himſelf, he ſuffered at once the miſeries of infamy and of want. His indigence forced him upon a courſe which added to his infamy. He armed a few ſmall ſhips, which had accompanied him from Dunbar, and attacking every veſſel which fell in his way, endeavoured to procure ſubſiſtence for himſelf and his followers by piracy. Kirkaldy and Murray of Tullibardin were ſent out againſt him by the confederates; and ſurpriſing him while he rode at anchor, ſcattered his ſmall fleet, took a part of it, and obliged him to fly with a ſingle ſhip towards Norway. On that coaſt, he fell in with a veſſel richly laden, and immediately attacked it; the Norwegians ſailed with armed boats to its aſſiſtance, and after a deſperate fight, Bothwell and all his crew were taken priſoners. His name and quality were both unknown, and he was treated at firſt with all the indignity and rigour which the odious crime of piracy merited. His real character was ſoon diſcovered, and though it ſaved him from the infamous death to which his aſſociates were condemned, it could neither procure him liberty, nor mitigate the hardſhips of his impriſonment. He languiſhed ten years in this unhappy condition; melancholy and deſpair deprived him of reaſon, and at laſt he ended his days, unpitied by his countrymen, and unaſſiſted by ſtrangers[u]. Few men ever accompliſhed their ambitious projects by worſe means, or reaped from them leſs ſatisfaction. The early part of his life was reſtleſs and enterpriſing, full of danger and of viciſſitudes. His enjoyment of the grandeur, to which he attained by ſo many crimes, was extremely ſhort; imbittered by much anxiety, and diſquieted by many fears. In his latter years he ſuffered the moſt intolerable calamities to which the wretched are ſubject, and from which perſons who have moved in ſo high a ſphere are commonly exempted.

1567.

THE good effects of Murray's acceſſion to the regency were quickly felt. The party forming for the queen was weak, irreſolute, and diſunited; and no ſooner was the government of the kingdom in the hands of a man ſo remarkable both for his abilities and popularity, than the nobles, of whom it was compoſed, loſt all hopes of gaining ground, and began to treat ſeparately with the regent. So many of

Succeſs of the regent's adminiſtration.

[u] Melv. 168.

them

BOOK V. 1567.

them were brought to acknowledge the king's authority, that ſcarce any appearance of oppoſition to the eſtabliſhed government was left in the kingdom. Had they adhered to the queen with any firmneſs, it is probable, from Elizabeth's diſpoſition at that time, that ſhe would have afforded them ſuch aſſiſtance as might have enabled them to face their enemies in the field. But there appeared ſo little vigour or harmony in their councils, that ſhe was diſcouraged from eſpouſing their cauſe; and the regent, taking advantage of their ſituation, obliged them to ſubmit to his government, without granting any terms, either to themſelves or to the queen [x].

THE regent was no leſs ſucceſsful in his attempt to get into his hands the places of ſtrength in the kingdom. Balfour, the deputy governor, ſurrendered the caſtle of Edinburgh; and as the reward of his treachery, in deſerting Bothwell his patron, obtained terms of great advantage to himſelf. The governor of Dunbar, who diſcovered greater fidelity, was ſoon forced to capitulate: ſome other ſmall forts ſurrendered without reſiſtance.

A parliament, Decem. 15.

THIS face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this ſupreme court; and after the ſucceſs which had attended all their meaſures, there could be little doubt of obtaining it. The numbers that reſorted to an aſſembly which was called to deliberate on matters of ſo much importance, were great. The meeting was opened with the utmoſt ſolemnity, and all its acts paſſed with much unanimity. Many, however, of the lords who had diſcovered the warmeſt attachment to the queen were preſent. But they had made their peace with the regent. Argyll, Huntly, and Herries acknowledged openly in parliament, that their behaviour towards the king had been undutiful and criminal [y]. Their compliance, in this manner, with the meaſures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the ſincerity of their reconcilement.

Confirms the proceedings of the confederates.

THE parliament granted every thing the confederates could demand, either for the ſafety of their own perſons or the ſecurity of that form of government which they had eſtabliſhed in the kingdom. Mary's reſignation of the crown was accepted, and declared to be valid. The king's authority and Murray's election were recogniſed and confirmed. The im-

[x] Keith, 447. 450 463.
[y] Anderſ. vol. iv. 153. See Appendix, No. XXIV.

6 priſoning

priſoning the queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and ſhe was declared to be acceſſary to the murder of the king [z]. At the ſame time all the acts of parliament of the year one thouſand five hundred and ſixty, in favour of the proteſtant religion, were publicly ratified; new ſtatutes to the ſame purpoſe were enacted; and nothing that could contribute to root out the remains of popery, or to encourage the growth of the reformation, was neglected. 1567.

IT is obſervable, however, that the ſame parſimonious ſpirit prevailed in this parliament, as in that of the year one thouſand five hundred and ſixty. The proteſtant clergy, notwithſtanding many diſcouragements, and their extreme poverty, had for ſeven years performed all religious offices in the kingdom. The expedients fallen upon for their ſubſiſtence had hitherto proved ineffectual, or were intended to be ſo. But notwithſtanding their known indigence, and the warm remonſtrances of the aſſembly of the church which met this year, the parliament did nothing more for their relief, than preſcribe ſome new regulations concerning the payment of the thirds of benefices, which did not produce any conſiderable change in the ſituation of the clergy.

A FEW days after the diſſolution of parliament, four of Bothwell's dependants were convicted of being guilty of the king's murder, and ſuffered death as traitors. Their confeſſions brought to light many circumſtances relative to the manner of committing that barbarous crime; but they were perſons of low rank, and ſeem not to have been admitted into the ſecrets of the conſpiracy [a]. 1568. January 3.

NOTWITHSTANDING the univerſal ſubmiſſion to the regent's authority, there ſtill abounded in the kingdom many ſecret murmurs and cabals. The partiſans of the houſe of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as firſt prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's ſufferings began to move many to commiſerate her caſe. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not poſſeſs the talents requiſite for ſoothing the rage or removing the jealouſies of the different factions. By inſinuation or addreſs he might have gained or ſoftened many who had oppoſed him; but he was a ſtranger to theſe gentle arts. His virtues were

[z] Good. vol. ii. 66. Anderſ. vol. ii. 206.

[a] Anderſ. vol. ii. 165.

ſevere;

BOOK V. 1568.

ſevere; and his deportment towards his equals, eſpecially after his elevation to the regency, diſtant and haughty. This behaviour offended ſome of the nobles and alarmed others. The queen's faction, which had been ſo eaſily diſperſed, began again to gather and to unite, and was ſecretly favoured by ſome who had hitherto zealouſly concurred with the confederates [b].

Mary eſcapes from Lochlevin.

SUCH was the favourable diſpoſition of the nation towards the queen, when ſhe recovered her liberty, in a manner no leſs ſurpriſing to her friends, than unexpected by her enemies. Several attempts had been made to procure her an opportunity of eſcaping, which ſome unforeſeen accident, or the vigilance of her keepers, had hitherto diſappointed. At laſt Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and inſinuating, ſhe treated him with the moſt flattering diſtinction; ſhe even allowed him to entertain the moſt ambitious hopes, by letting fall ſome expreſſions, as if ſhe would chuſe him for her huſband [c]. At his age, and in ſuch circumſtances, it was impoſſible to reſiſt ſuch a temptation. He yielded, and drew others into the plot. On Sunday the ſecond of May, while his brother ſat at ſupper, and the reſt of the family were retired to their devotions, one of his accomplices found means to ſteal the keys out of his brother's chamber, and opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and on reaching the ſhore was received with the utmoſt joy, by Douglas, lord Seaton, and ſir James Hamilton, who, with a few attendants, waited for her. She inſtantly mounted on horſeback, and rode full ſpeed towards Niddrie, lord Seaton's ſeat in Weſt Lothian. She arrived there that night, without being purſued or interrupted. After halting three hours ſhe ſet out for Hamilton; and travelling at the ſame pace, ſhe reached it next morning.

Arrives at Hamilton, and raiſes a numerous army.

ON the firſt news of Mary's eſcape her friends, whom, in their preſent diſpoſition, a much ſmaller accident would have rouſed, ran to arms. In a few days her court was filled with a great and ſplendid train of nobles, accompanied by ſuch numbers of followers, as formed an army above ſix thouſand ſtrong. In their preſence ſhe declared that the reſignation of the crown, and the other deeds which ſhe had ſigned during her impriſonment, were extorted from her by

[b] Melv. 179. [c] Keith, 469. 481. Note.

fear.

fear. Sir Robert Melvil confirmed her declaration; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all theſe tranſactions void and illegal. At the ſame time an aſſociation was formed for the defence of her perſon and authority, and ſubſcribed by nine earls, nine biſhops, eighteen lords, and many gentlemen of diſtinction[d]. Among them we find ſeveral who had been preſent in the laſt parliament, and who had ſigned the counter-aſſociation in defence of the king's government; but ſuch ſudden changes were then ſo common, as to be no matter of reproach. 1568. May 8.

Conſternation of the regent's adherents.

At the time when the queen made her eſcape the regent was at Glaſgow, holding a court of juſtice. An event ſo contrary to their expectations, and ſo fatal to their ſchemes, gave a great ſhock to his adherents. Many of them appeared wavering and irreſolute; others began to carry on private negotiations with the queen; and ſome openly revolted to her ſide. In ſo difficult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's moſt faithful aſſociates were divided in opinion. Some adviſed him to retire, without loſs of time, to Stirling. The queen's army was already ſtrong, and only eight miles diſtant; the adjacent country was full of the friends and dependents of the houſe of Hamilton, and other lords of the queen's faction; Glaſgow was a large and unfortified town; his own train conſiſted of no greater number than was uſual in times of peace; all theſe reaſons pleaded for a retreat. But on the other hand, arguments were urged of no inconſiderable weight. The citizens of Glaſgow were well affected to the cauſe; the vaſſals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; ſuccours might arrive from other parts of the kingdom in a few days; in war, ſucceſs depends upon reputation, as much as upon numbers; reputation is gained or loſt by the firſt ſtep one takes; in his circumſtances, a retreat would be attended with all the ignominy of a flight, and would at once diſpirit his friends, and inſpire his enemies with boldneſs. In ſuch dangerous exigencies as this, the ſuperiority of Murray's genius appeared, and enabled him both to chuſe with wiſdom and to act with vigour. He declared againſt retreating, and fixed his head-quarters at Glaſgow. And while he amuſed the queen for ſome days, by pretending to hearken to ſome overtures, which ſhe made for accommodating their differences, he was employed, with

His prudent conduct.

[d] Keith, 475.

the

BOOK V. 1568.

the utmoſt induſtry, in drawing together his adherents from different parts of the kingdom. He was ſoon in a condition to take the field; and though far inferior to the enemy in number, he confided ſo much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle[e].

May 13. AT the ſame time, the queen's generals had commanded her army to move. Their intention was, to conduct her to Dunbarton-caſtle, a place of great ſtrength, which the regent had not been able to wreſt out of the hands of lord Fleming the governor; but if the enemy ſhould endeavour to interrupt their march, they reſolved not to decline an engagement. In Mary's ſituation, no reſolution could be more imprudent. A part only of her forces was aſſembled. Huntly, Ogilvie, and the northern clans, were ſoon expected; her ſufferings had removed or diminiſhed the prejudices of many among her ſubjects; the addreſs with which ſhe ſurmounted the dangers that obſtructed her eſcape, dazzled and intereſted the people; the ſudden confluence of ſo many nobles added luſtre to her cauſe; ſhe might aſſuredly depend on the friendſhip and countenance of France; ſhe had reaſon to expect the protection of England; her enemies could not poſſibly look for ſupport from that quarter. She had much to hope from purſuing ſlow and cautious meaſures; they had every thing to fear.

BUT Mary, whoſe hopes were naturally ſanguine, and her paſſions impetuous, was ſo elevated by her ſudden tranſition from the depth of diſtreſs, to ſuch an unuſual appearance of proſperity, that ſhe never doubted of ſucceſs. Her army, which was almoſt double to the enemy in number, conſiſted chiefly of the Hamiltons and their dependants. Of theſe the archbiſhop of St. Andrew's had the chief direction, and hoped, by a victory, not only to cruſh Murray, the ancient enemy of his houſe, but to get the perſon of the queen into his hands, and to oblige her either to marry one of the duke's ſons, or at leaſt to commit the chief direction of her affairs to himſelf. His ambition proved fatal to the queen, to himſelf, and to his family[f].

Battle of Langſide. MARY'S imprudence in reſolving to fight, was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dunbarton, there was an eminence called Langſide Hill. This the regent had the precaution to ſeize, and poſted his troops in a ſmall vil-

[e] Buchan. 369. [f] Anderſ. vol. iv. 32. Melv. 181.

lage,

lage, and among ſome gardens and incloſures adjacent. In this advantageous ſituation he waited the approach of the enemy, whoſe ſuperiority in cavalry could be of no benefit to them on ſuch broken ground. The Hamiltons, who compoſed the vanguard, ran ſo eagerly to the attack, that they put themſelves out of breath, and left the main battle far behind. The encounter of the ſpearmen was fierce and deſperate; but as the forces of the Hamiltons were expoſed, on the one flank, to a continued fire from a body of muſqueteers, attacked on the other by the regent's moſt choice troops, and not ſupported by the reſt of the queen's army, they were ſoon obliged to give ground, and the rout immediately became univerſal. Few victories, in a civil war, and among a fierce people, have been purſued with leſs violence, or attended with leſs bloodſhed. Three hundred fell in the field: in the flight almoſt none were killed. The regent and his principal officers rode about, beſeeching the ſoldiers to ſpare their countrymen. The number of priſoners was great, and among them many perſons of diſtinction. The regent marched back to Glaſgow, and returned public thanks to God for this great, and, on his ſide, almoſt bloodleſs victory [g].

The queen's army defeated.

During the engagement, Mary ſtood on a hill, at no great diſtance, and beheld all that paſſed in the field, with ſuch emotions of mind as are not eaſily deſcribed. When ſhe ſaw the army, which was her laſt hope, thrown into irretrievable confuſion, her ſpirit, which all her paſt misfortunes had not been able entirely to ſubdue, ſunk altogether. In the utmoſt conſternation, ſhe began her flight, and ſo lively were her impreſſions of fear, that ſhe never cloſed her eyes till ſhe reached the abbey of Dundrenan in Galloway, full ſixty Scottiſh miles from the place of battle [h].

Her flight.

Theſe revolutions in Mary's fortune had been no leſs rapid than ſingular. In the ſhort ſpace of eleven days, ſhe had been a priſoner at the mercy of her moſt inveterate enemies; ſhe had ſeen a powerful army under her command, and a numerous train of nobles at her devotion: and now ſhe was obliged to fly, in the utmoſt danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herſelf ſafe, even in that retreat, her fears impelled her to an action, the moſt unadviſed, as well as the moſt unfortunate in her whole life. This was her retiring into England, a ſtep which, on many accounts, ought to have appeared to her raſh and dangerous.

[g] Keith, 472. [h] Id. 431.

BOOK V.

1568.

Before Mary's arrival in Scotland, mutual diſtruſt and jealouſies had ariſen between her and Elizabeth. All their ſubſequent tranſactions had contributed to exaſperate and inflame theſe paſſions. She had endeavoured, by ſecret negotiations and intrigues, to diſturb the tranquillity of Elizabeth's government, and to advance her own pretenſions to the Engliſh crown. Elizabeth, who poſſeſſed great power, and acted with leſs reſerve, had openly ſupported Mary's rebellious ſubjects, and fomented all the diſſenſions and troubles in which her reign had been involved. The maxims of policy ſtill authoriſed that queen to purſue the ſame courſe; as by keeping Scotland in confuſion ſhe effectually ſecured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and not knowing what courſe the queen had taken, it was ſeveral days before he thought of purſuing her [i]. She might have been concealed in that retired corner, among ſubjects devoted to her intereſt, until her party, which was diſperſed rather than broken by the late defeat, ſhould gather ſuch ſtrength that ſhe could again appear with ſafety at their head. There was not any danger which ſhe ought not to have run, rather than throw herſelf into the hands of an enemy, from whom ſhe had already ſuffered ſo many injuries, and who was prompted, both by inclination and by intereſt, to renew them.

Reſolves on retiring into England.

But, on the other hand, during Mary's confinement, Elizabeth had declared againſt the proceedings of her ſubjects, and ſolicited for her liberty with a warmth which had all the appearance of ſincerity. She had invited her to take refuge in England, and had promiſed to meet her in perſon, and to give her ſuch a reception as was due to a queen and an ally [k]. Whatever apprehenſion Elizabeth might entertain of Mary's deſigns while ſhe had power in her hands, ſhe was at preſent the object, not of fear, but of pity; and to take advantage of her ſituation, would be both ungenerous and inhuman. The horrors of a priſon were freſh in Mary's memory, and if ſhe ſhould fall a ſecond time into the hands of her ſubjects, there was no injury to which the preſumption of ſucceſs might not embolden them to proceed. To attempt eſcaping into France was dangerous, and in her ſituation almoſt impoſſible; nor could ſhe bear the thoughts of appearing as an exile and a fugitive in that kingdom where ſhe had once enjoyed all the ſplendour of a queen. England remained her only aſylum; and in ſpite of the entreaties of lord Herries, Fleming, and her other attendants,

[i] Crawf. Mem. 59.

[k] Camb. 489. Anderſ. vol. iv. 99. 120. Murdin, 369.

ſtrong,

1568.

who conjured her, even on their knees, not to confide in Elizabeth's promiſes or generoſity, her infatuation was invincible, and ſhe reſolved to fly thither. Herries, by her command, wrote to Lowther, the deputy governor of Carliſle, to know what reception he would give her; and before his anſwer could return, her fear and impatience were ſo great, that ſhe got into a fiſher-boat, and with about twenty attendants landed at Wirkington in Cumberland, and thence ſhe was conducted with many marks of reſpect to Carliſle[l].

Her reception at Carliſle.

May 16.

As ſoon as Mary arrived in England, ſhe wrote a long letter to the queen, repreſenting, in the ſtrongeſt terms, the injuries which ſhe had ſuffered from her own ſubjects, and imploring that pity and aſſiſtance which her preſent ſituation demanded[m]. An event ſo extraordinary, and the conduct which might be proper in conſequence of it, drew the attention, and employed the thoughts, of Elizabeth and her council. If their deliberations had been influenced by conſiderations of juſtice or generoſity alone, they would not have found them long or intricate. A queen, vanquiſhed by her own ſubjects, and threatened by them with the loſs of her liberty, or of her life, had fled from their violence, and thrown herſelf into the arms of her neareſt neighbour and ally, from whom ſhe had received repeated aſſurances of friendſhip and protection. Theſe circumſtances entitled her to reſpect and to compaſſion, and required that ſhe ſhould either be reſtored to her own kingdom, or at leaſt be left at full liberty to ſeek aid from any other quarter. But with Elizabeth and her counſellors the queſtion was not, what was moſt juſt or generous, but what was moſt beneficial to herſelf, and to the Engliſh nation. Three different reſolutions might have been taken, with regard to the queen of Scots. To reinſtate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of theſe drew conſequences after it, of the utmoſt importance, which were examined, as appears from papers ſtill extant[n], with that minute accuracy which Elizabeth's miniſters employed in all their conſultations upon affairs of moment.

Elizabeth deliberates concerning the manner of treating her.

To reſtore Mary to the full exerciſe of the royal authority in Scotland, they obſerved, would render her more powerful than ever. The nobles who were moſt firmly attached to the Engliſh intereſt would quickly feel the utmoſt weight of her reſentment. As the gratitude of princes is ſeldom

[l] Keith, 483. Anderſ. vol. iv. 2.
[m] Id. 29.
[n] Anderſ. vol. iv. 34. 99. 102.

BOOK V. 1568.

ſtrong or laſting, regard to her own intereſt might ſoon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottiſh nation with France, and revive her own pretenſions to the Engliſh crown. Nor was it poſſible to fetter and circumſcribe the Scottiſh queen by any conditions that would prevent theſe dangers. Her party in Scotland was numerous and powerful. Her return, even without any ſupport from England, would inſpire her friends with new zeal and courage; a ſingle victory might give them the ſuperiority, which they had loſt by a ſingle defeat, and render Mary a more formidable rival than ever to Elizabeth.

THE dangers ariſing from ſuffering Mary to return into France, were no leſs obvious. The French king could not refuſe his aſſiſtance towards reſtoring his ſiſter and ally to her throne. Elizabeth would once more ſee a foreign army in the iſland, overawing the Scots, and ready to enter her kingdom; and if the commotions in France, on account of religion, were ſettled, the princes of Lorrain might reſume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakeſt and moſt defenceleſs.

Reſolves to detain her in England.

NOTHING therefore remained but to detain her in England, and to permit her either to live at liberty there, or to confine her in a priſon. The former was a dangerous experiment. Her court would become a place of reſort to all the Roman catholics, to the diſaffected, and to the lovers of innovation. Though Elizabeth affected to repreſent Mary's pretenſions to the Engliſh crown as altogether extravagant and ill-founded, ſhe was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emiſſaries had gained her ſo many abettors, her own perſonal influence was much more to be dreaded; her beauty, her addreſs, her ſufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party [a].

IT was indeed to be apprehended, that the treating Mary as a priſoner would excite univerſal indignation againſt Elizabeth, and that by this unexampled ſeverity towards a queen, who implored, and to whom ſhe had promiſed her protection, ſhe would forfeit the praiſe of juſtice and humanity, which was hitherto due to her adminiſtration. But the Engliſh monarchs were often ſo ſolicitous to ſecure their kingdom againſt the Scots, as to be little ſcrupulous

[a] Anderſ. vol. iv. 56. 60.

about

about the means which they employed for that purpose. Henry IV. had ſeized the heir of the crown of Scotland, who was forced, by the violence of a ſtorm, to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hoſpitality, without regarding his tender age, or the tears and intreaties of his father, detained him a priſoner for many years. This action, though deteſted by poſterity, Elizabeth reſolved now to imitate. Her virtue was not more proof than that of Henry had been, againſt the temptations of intereſt; and the poſſeſſion of a preſent advantage was preferred to the proſpect of future fame. The ſatisfaction which ſhe felt in mortifying a rival, whoſe beauty and accompliſhments ſhe envied, had perhaps no leſs influence than political conſiderations, in bringing her to this reſolution. But at the ſame time, in order to ſcreen herſelf from the cenſure which this conduct merited, and to make her treatment of the Scottiſh queen look like the effect of neceſſity, rather than of choice, ſhe determined to aſſume the appearance of concern for her intereſt, and of deep ſympathy with her ſufferings.

BOOK V. 1568.

WITH this view ſhe inſtantly diſpatched lord Scroope, warden of the weſt marches, and ſir Francis Knollys, her vice-chamberlain, to the queen of Scots, with letters full of expreſſions of kindneſs and condolence. But at the ſame time they had private inſtructions to watch all her motions, and to take care that ſhe ſhould not eſcape into her own kingdom[p]. On their arrival, Mary demanded a perſonal interview with the queen, that ſhe might lay before her the injuries which ſhe had ſuffered, and receive from her thoſe friendly offices which ſhe had been encouraged to expect. They anſwered, that it was with reluctance admiſſion into the preſence of their ſovereign was at preſent denied her; that while ſhe lay under the imputation of a crime ſo horrid as the murder of her huſband, their miſtreſs, to whom he was ſo nearly allied, could not, without bringing a ſtain upon her own reputation, admit her into her preſence; but as ſoon as ſhe had cleared herſelf from that aſperſion, they promiſed her a reception ſuitable to her dignity, and aid proportioned to her diſtreſs[3].

May 20.

Mary demands admittance into Elizabeth's preſence.

NOTHING could be more artful than this pretence; and it was the occaſion of leading the queen of Scots into the ſnare in which Elizabeth and her miniſters wiſhed to entangle her. Mary expreſſed the utmoſt ſurpriſe at this unexpected manner of evading her requeſt; but as ſhe could

She offers to vindicate her conduct.

[p] Anderſ. vol. iv. 36. 70. 92. [3] Ibid. vol. iv. 8. 55.

BOOK V.

1568.

not believe ſo many profeſſions of friendſhip to be void of ſincerity, ſhe frankly offered to ſubmit her cauſe to the cognizance of Elizabeth, and undertook to produce ſuch proofs of her own innocence, and of the falſehood of the accuſations brought againſt her, as ſhould fully remove the ſcruples, and ſatisfy the delicacy of the Engliſh queen. This was the very point to which Elizabeth laboured to bring the matter. In conſequence of this appeal of the Scottiſh queen, ſhe now conſidered herſelf as the umpire between her and her ſubjects, and foreſaw that ſhe would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endleſs difficulties. In the mean time, ſhe was furniſhed with a plauſible reaſon for keeping her at a diſtance from court, and for refuſing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the preſumptions of her guilt were many and ſtrong, it was not impoſſible her ſubjects might make good their charge againſt her; and if this ſhould be the reſult of the inquiry, ſhe would, thenceforth, ceaſe to be the object of regard or of compaſſion, and the treating her with coldneſs and neglect would merit little cenſure. In a matter ſo dark and myſterious, there was no probability that Mary could bring proofs of her innocence, ſo inconteſted, as to render the conduct of the Engliſh queen altogether culpable; and, perhaps, impatience under reſtraint, ſuſpicion of Elizabeth's partiality, or the diſcovery of her artifices, might engage Mary in ſuch cabals as would juſtify the uſing her with greater rigour.

Elizabeth takes advantage of this offer.

ELIZABETH early perceived many advantages which would ariſe from an inquiry into the conduct of the Scottiſh queen, carried on under her direction. There was ſome danger, however, that Mary might diſcover her ſecret intentions too ſoon, and by receding from the offer which ſhe had made, endeavour to diſappoint them. But even in that event, ſhe determined not to drop the inquiry, and had thought of ſeveral different expedients for carrying it on. The counteſs of Lennox, convinced that Mary was acceſſary to the murder of her ſon, and thirſting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's juſtice, and ſolicited her, with many tears, in her own name, and in her huſband's, to bring the Scottiſh queen to a trial for that crime[r]. The parents of the unhappy prince had a juſt right to prefer this accuſation; nor could ſhe, who was

[r] Camd. 412. Haynes, 469.

their

their neareſt kinſwoman, be condemned for liſtening to ſo equitable a demand. Beſides, as the Scottiſh nobles openly accuſed Mary of the ſame crime, and pretended to be able to confirm their charge by ſufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings againſt their ſovereign; and it was the opinion of the Engliſh council, that it would be reaſonable to comply with the requeſt[t]. At the ſame time the obſolete claim of the ſuperiority of England over Scotland began to be talked of; and on that account it was pretended that the deciſion of the conteſt between Mary and her ſubjects belonged of right to Elizabeth[t]. But though Elizabeth revolved all theſe expedients in her mind, and kept them in reſerve to be made uſe of as occaſion might require, ſhe wiſhed that the inquiry into Mary's conduct ſhould appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and ſo long as that appearance could be preſerved, none of the other expedients were to be employed. 1568.

When Mary conſented to ſubmit her cauſe to Elizabeth, ſhe was far from ſuſpecting that any bad conſequences could follow, or that any dangerous pretenſions could be founded on her offer. She expected that Elizabeth herſelf would receive and examine her defences[u]; ſhe meant to conſider her as an equal, for whoſe ſatisfaction ſhe was willing to explain any part of her conduct that was liable to cenſure, not to acknowledge her as a ſuperior, before whom ſhe was bound to plead her cauſe. But Elizabeth put a very different ſenſe on Mary's offer. She conſidered herſelf as choſen to be judge in the controverſy between the Scottiſh queen and her ſubjects, and began to act in that capacity. She propoſed to appoint commiſſioners to hear the pleadings of both parties, and wrote to the regent of Scotland to empower proper perſons to appear before them, in his name, and to produce what he could allege in vindication of his proceedings againſt his ſovereign.

Mary had hitherto relied with unaccountable credulity on Elizabeth's profeſſions of regard, and expected that ſo many kind ſpeeches would at laſt be accompanied with ſome ſuitable actions. But this propoſal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and ſaw what a diminution it would be to her own honour, to appear on a level with her rebellious ſubjects, and to ſtand together with

Mary greatly offended at Elizabeth's conduct.

[s] Anderſ. vol. iv. part i. 37. [t] Ibid. [u] Anderſ. vol. iv. 10.

BOOK V. them at the bar of a ſuperior and a judge. She retracted the offer which ſhe had made, and which had been perverted to a purpoſe ſo contrary to her intention. She demanded with more earneſtneſs than ever, to be admitted into Elizabeth's preſence; and wrote to her in a ſtrain very different from what ſhe had formerly uſed, and which fully diſcovers the grief and indignation that preyed on her heart. "In "my preſent ſituation," ſays ſhe, "I neither will nor can "reply to the accuſations of my ſubjects. I am ready, of "my own accord, and out of friendſhip to you, to ſatisfy "your ſcruples, and to vindicate my own conduct. My "ſubjects are not my equals; nor will I, by ſubmitting my "cauſe to a judicial trial, acknowledge them to be ſo. I "fled into your arms, as into thoſe of my neareſt relation "and moſt perfect friend. I did you honour, as I ima-"gined, in chuſing you, preferably to any other prince, "to be the reſtorer of an injured queen. Was it ever "known that a prince was blamed for hearing in perſon the "complaints of thoſe who appealed to his juſtice againſt the "falſe accuſations of their enemies? You admitted into "your preſence my baſtard brother, who had been guilty of "rebellion; and you deny me that honour! God forbid "that I ſhould be the occaſion of bringing any ſtain upon "your reputation! I expected that your manner of treating "me would have added luſtre to it. Suffer me either to "implore the aid of other princes whoſe delicacy on this "head will be leſs, and their reſentment of my wrongs "greater; or let me receive from your hands that aſſiſtance "which it becomes you, more than any other prince, to "grant; and by that benefit bind me to yourſelf in the "indiſſoluble ties of gratitude [x]."

1568. June 13.

June 20. Elizabeth's precautions againſt her.

THIS letter ſomewhat diſconcerted Elizabeth's plan, but did not divert her from the proſecution of it. She laid the matter before the privy council, and it was there determined, notwithſtanding the intreaties and remonſtrances of the Scottiſh queen, to go on with the inquiry into her conduct, and until that were finiſhed, it was agreed that Elizabeth could not conſiſtently with her own honour, or with the ſafety of her government, either give her the aſſiſtance which ſhe demanded, or permit her to retire out of the kingdom. Leſt ſhe ſhould have an opportunity of eſcaping, while ſhe reſided ſo near Scotland, it was thought adviſable to remove her to ſome place at a greater diſtance from the borders [y].

[x] Anderſ. vol. iv. part 2. 94. [y] Id. ibid. 102.

WHILE

BOOK V.

1568.

WHILE the English court was occupied in these deliberations, the regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the queen herself out of the kingdom, but left her adherents diſperſed, and without a leader, at his mercy. He ſeemed reſolved, at firſt, to proceed againſt them with the utmoſt rigour. Six perſons of ſome diſtinction, who had been taken priſoners in the battle, were tried and condemned to death, as rebels againſt the king's government. They were led to the place of execution, but by the powerful interceſſion of Knox they obtained a pardon. Hamilton of Bothwellhaugh was one of the number, who lived to give both the regent and Knox reaſon to repent of this commendable act of lenity [z].

Proceedings of the regent againſt the queen's adherents.

SOON after the regent marched with an army, conſiſting of four thouſand horſe and one thouſand foot, towards the weſt borders. The nobles in this part of the kingdom were all the queen's adherents; but as they had not force ſufficient to obſtruct his progreſs, he muſt either have obliged them to ſubmit to the king, or would have laid waſte their lands with fire and ſword. But Elizabeth, whoſe intereſt it was to keep Scotland in confuſion, by preſerving the balance between the two parties, and who was endeavouring to ſooth the Scottiſh queen by gentle treatment, interpoſed at her deſire. After keeping the field two weeks, the regent, in compliance to the Engliſh ambaſſador, diſmiſſed his forces; and an expedition, which might have proved fatal to his opponents, ended with a few acts of ſeverity [a].

THE reſolution of the Engliſh privy council, with regard to Mary's perſon, was ſoon carried into execution; and, without regarding her remonſtrances or complaints, ſhe was conducted to Bolton, a caſtle of lord Stroope's, on the borders of Yorkſhire [b]. In this place, her correſpondence with her friends in Scotland became more difficult, and any proſpect of making her eſcape was entirely cut off. She now felt herſelf to be entirely in Elizabeth's power, and though treated as yet with the reſpect due to a queen, her real condition was that of a priſoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worſt of all evils. While the remembrance of her late impriſonment was ſtill lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former propoſition,

Mary carried to Bolton. July 13.

July 28.

[z] Cald. vol. ii. 99. [a] Ibid.
[b] Anderſ. vol. iv. 14. See Appendix, No. XXV.

BOOK V. 1568.

position, that ſhe would ſuffer the regent and his adherents to be called into England, and conſent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her ſubjects, or of degrading her ſo far as to require that ſhe ſhould anſwer to their accuſations. On the contrary, Murray and his aſſociates were ſummoned to appear, in order to juſtify their conduct in treating their ſovereign ſo harſhly, and to vindicate themſelves from thoſe crimes with which ſhe had charged them. On her part, Elizabeth promiſed, whatever ſhould be the iſſue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations by no means unreaſonable. Mary, deceived by this ſeeming attention to her dignity as a queen; ſoothed, on one hand, by a promiſe more flattering than any which ſhe had hitherto received from Elizabeth, and urged, on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confinement, complied at length with what Elizabeth required, and promiſed to ſend commiſſioners to the conferences appointed to be held at York [c].

Agrees that an inquiry be made into her conduct.

Her diſſimulation with regard to religion.

In order to perſuade Elizabeth that ſhe deſired nothing ſo much as to render the union between them as cloſe as poſſible, ſhe ſhewed a diſpoſition to relax ſomewhat in one point; with regard to which, during all her paſt and ſubſequent misfortunes, ſhe was uniformly inflexible. She expreſſed a great veneration for the liturgy of the church of England; ſhe was often preſent at religious worſhip, according to the rites of the reformed church; made choice of a proteſtant clergyman to be her chaplain; heard him preach againſt the errors of popery with attention and ſeeming pleaſure; and diſcovered all the ſymptoms of an approaching converſion [d]. Such was Mary's known and bigotted attachment to the popiſh religion, that it is impoſſible to believe her ſincere in this part of her conduct; nor can any thing mark more ſtrongly the wretchedneſs of her condition, and the exceſs of her fears, than that they betrayed her into diſſimulation, in a matter concerning which her ſentiments were, at all other times, ſcrupulouſly delicate.

Auguſt 18. A parliament in Scotland.

At this time the regent called a parliament, in order to proceed to the forfeiture of thoſe who refuſed to acknow-

[c] Anderſ. iv. part i. p. 11, 12, &c. 109. &c. Hayne, 468, &c. State Trials, edit. Hargrave, i. 90.

[d] Anderſ. vol. iv. part i. 113. Hayne, 509. See Appendix, No. XXVI.

ledge

ledge the king's authority. The queen's adherents were alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the ſouth, and the other in the north of Scotland, began to aſſemble forces to obſtruct this meeting. Compaſſion for the queen, and envy at thoſe who governed in the king's name, had added ſo much ſtrength to the party, that the regent would have found it difficult to withſtand its efforts. But as Mary had ſubmitted her cauſe to Elizabeth, ſhe could not refuſe, at her deſire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a deciſion in England. By procuring this ceſſation of arms, Elizabeth afforded as ſeaſonable relief to the regent's faction as ſhe had formerly given to the queen's [e].

THE regent, however, would not conſent, even at Elizabeth's requeſt, to put off the meeting of parliament [f]. But we may aſcribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his countrymen from exterminating the other, any appearances of moderation which this parliament diſcovered in its proceedings. The moſt violent opponents of the king's government were forfeited; the reſt were allowed ſtill to hope for favour [g].

Elizabeth requires the regent to defend his conduct.

No ſooner did the queen of Scots ſubmit her cauſe to her rival, than Elizabeth required the regent to ſend to York deputies properly inſtructed for vindicating his conduct, in preſence of her commiſſioners. It was not without heſitation and anxiety that the regent conſented to this meaſure. His authority was already eſtabliſhed in Scotland, and confirmed by parliament. To ſuffer its validity now to be called in queſtion, and ſubjected to a foreign juriſdiction, was extremely mortifying. To accuſe his ſovereign before ſtrangers, the ancient enemies of the Scottiſh name, was an odious taſk. To fail in this accuſation was dangerous; to ſucceed in it was diſgraceful. But the ſtrength of the adverſe faction daily increaſed. He dreaded the interpoſition of the French king in its behalf. In his ſituation, and in a matter which Elizabeth had ſo much at heart, her commands were neither to be diſputed nor diſobeyed [h].

Both the queen and he appoint commiſſioners.

THE neceſſity of repairing in perſon to York added to the ignominy of the ſtep which he was obliged to take. All his aſſociates declined the office; they were unwilling to expoſe themſelves to the odium and danger with which it was eaſy

[e] Anderſ. vol. iv. 125. [f] See Appendix, No. XXVII.
[g] Buch. 371. [h] Buch. 372. See Append. No. XXVIII.

to

BOOK V.

1568. Sept. 18.

to foreſee that the diſcharge of it would be attended, unleſs he himſelf conſented to ſhare theſe in common with them. The earl of Morton, Bothwell biſhop of Orkney, Pittarrow commendator of Dunfermling, and lord Lindſay, were joined with him in commiſſion. Macgill of Rankeilor, and Balnaves of Halhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whoſe genius did honour to the age, Maitland, and ſeveral others, were appointed to attend them as aſſiſtants. Maitland owed this diſtinction to the regent's fear, rather than to his affection. He had warmly remonſtrated againſt this meaſure. He wiſhed his country to continue in friendſhip with England, but not to become dependant on that nation. He was deſirous of re-eſtabliſhing the queen in ſome degree of power, not inconſiſtent with that which the king poſſeſſed; and the regent could not, with ſafety, leave behind him a man whoſe views were ſo contrary to his own, and who by his ſuperior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families[j].

MARY empowered Leſly biſhop of Roſs, lord Livingſton, lord Boyd, lord Herries, Gavin Hamilton commendator of Kilwinning, ſir John Gordon of Lochinvar, and ſir James Cockburn of Stirling, to appear in her name[k].

ELIZABETH nominated Thomas Howard duke of Norfolk, Thomas Ratcliff earl of Suſſex, and ſir Ralph Sadler, her commiſſioners to hear both parties.

The conference at York.

THE fourth of October was the day fixed for opening the *conference*. The great abilities of the deputies on both ſides, the dignity of the judges before whom they were to appear, the high rank of the perſons whoſe cauſe was to be heard, and the importance of the points in diſpute, rendered the whole tranſaction no leſs illuſtrious than it was ſingular. The ſituation in which Elizabeth appeared, on this occaſion, ſtrikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a priſoner in her hands, and appeared, by her ambaſſadors, before her tribunal. The regent of Scotland, who repreſented the majeſty, and poſſeſſed the authority of a king, ſtood in perſon at her bar. And the fate of a kingdom, whoſe power her anceſtors had often dreaded, but could never ſubdue, was now at her diſpoſal.

Views of the different parties.

THE views, however, with which the ſeveral parties con-

[j] Buch. 377. Anderſ. vol. iv. 35. Melv. 186, 188.
[k] Anderſ. vol. iv. 33.

ſented

1568.

ſented to this conference, and the iſſue to which they expected to bring it, were extremely different.

MARY's chief object was the recovering of her former authority. This induced her to conſent to a meaſure againſt which ſhe had long ſtruggled. Elizabeth's promiſes gave her ground for entertaining hopes of being reſtored to her kingdom; in order to which, ſhe would have willingly made many conceſſions to the king's party; and the influence of the Engliſh queen, as well as her own impatience under her preſent ſituation, might have led her to many more. The regent aimed at nothing but ſecuring Elizabeth's protection to his party, and ſeems not to have had the moſt diſtant thoughts of coming to any compoſition with Mary. Elizabeth's views were more various, and her ſchemes more intricate. She ſeemed to be full of concern for Mary's honour, and ſolicitous that ſhe ſhould wipe off the aſperſions which blemiſhed her character. This ſhe pretended to be the intention of the conference; amuſing Mary, and eluding the ſolicitations of the French and Spaniſh ambaſſadors in her behalf, by repeated promiſes of aſſiſting her, as ſoon as ſhe could venture to do ſo without bringing diſgrace upon herſelf. But, under this veil of friendſhip and generoſity, Elizabeth concealed ſentiments of a different nature. She expected that the regent would accuſe Mary of being acceſſary to the murder of her huſband. She encouraged him, as far as decency would permit, to take this deſperate ſtep[m]. And as this accuſation might terminate in two different ways, ſhe had concerted meaſures for her future conduct ſuitable to each of theſe. If the charge againſt Mary ſhould appear to be well-founded, ſhe reſolved to pronounce her unworthy of wearing a crown, and to declare that ſhe would never burden her own conſcience with the guilt of an action ſo deteſtable as the reſtoring her to her kingdom[n]. If it ſhould happen, that what her accuſers alleged did not amount to a proof of guilt, but only of mal-adminiſtration, ſhe determined to ſet on foot a treaty for reſtoring her, but on ſuch conditions as would render her hereafter dependant not only upon England, but upon her own ſubjects[o]. As every ſtep in the progreſs of the conference, as well as the final reſult of it, was in Elizabeth's own power, ſhe would ſtill be at liberty to chuſe which of theſe courſes ſhe would hold; or if there appeared to be any danger or inconveniency in purſuing either of them, ſhe

[l] Anderſ. vol. iv. part ii. 33. Good. vol. ii. 337.
[m] Anderſ. vol. iv. part ii. 11, 45. Haynes, 487.
[n] Anderſ. vol. iv. part ii. 11. [o] Anderſ. vol. iv. part ii. 16.

might

BOOK V.

might protract the whole cauſe by endleſs delays, and involve it in inextricable perplexity.

1568. Complaint of the queen's commiſſioners againſt the regent.

THE conference, however, was opened with much ſolemnity. But the very firſt ſtep diſcovered it to be Elizabeth's intention to enflame, rather than to extinguiſh, the diſſenſions and animoſities among the Scots. No endeavours were uſed to reconcile the contending parties, or to mollify the fierceneſs of their hatred, by bringing the queen to offer pardon for what was paſt, or her ſubjects to promiſe more dutiful obedience for the future. On the contrary, Mary's commiſſioners were permitted to prefer a complaint againſt the regent and his party, containing an enumeration of their treaſonable actions, of their ſeizing her perſon by force of arms, committing her to priſon, compelling her to reſign the crown, and making uſe of her ſon's name to colour their uſurpation of the whole royal authority; and of all theſe enormities they required ſuch ſpeedy and effectual redreſs, as the injuries of one queen demanded from the juſtice of another [p].

October 8.

IT was then expected that the regent would have diſcloſed all the circumſtances of that unnatural crime to which he pretended the queen had been acceſſary, and would have produced evidence in ſupport of his charge. But, far from accuſing Mary, the regent did not even anſwer the complaints brought againſt himſelf. He diſcovered a reluctance at undertaking that office, and ſtarted many doubts and ſcruples, with regard to which he demanded to be reſolved by Elizabeth herſelf [q]. His reſerve and heſitation were no leſs ſurpriſing to the greater part of the Engliſh commiſſioners than to his own aſſociates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto ſhown any extraordinary delicacy on that head. An intrigue, however, had been ſecretly carried on, ſince his arrival at York, which explains this myſtery.

Intrigues of Norfolk with the regent.

THE duke of Norfolk was at that time the moſt powerful and moſt popular man in England. His wife was lately dead; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He ſaw the infamy which would be the conſequence of a public accuſation againſt Mary, and how prejudicial it might be to her pretenſions to the Engliſh ſucceſſion. In order to ſave her from this cruel mortification, he applied to Maitland, and expreſſed his aſtoniſhment at ſeeing a man of ſo much reputation for

[p] Anderſ. vol. iv. part ii. 52. [q] Haynes, 478.

wiſdom

wiſdom concurring with the regent in a meaſure ſo diſhonourable to themſelves, to their queen, and to their country; ſubmitting the public tranſactions of the nation to the judgment of foreigners; and publiſhing the ignominy, and expoſing the faults of their ſovereign, which they were bound in good policy, as well as in duty, to conceal and to cover. It was eaſy for Maitland, whoſe ſentiments were the ſame with the duke's, to vindicate his own conduct. He aſſured him, that he had employed all his credit to diſſuade his countrymen from this meaſure; and would ſtill contribute, to the utmoſt of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the ſame arguments which he had uſed with Maitland. He warned him of the danger to which he muſt expoſe himſelf by ſuch a violent action as the public accuſation of his ſovereign. Mary would never forgive a man, who had endeavoured to fix ſuch a brand of infamy on her character. If ſhe ever recovered any degree of power, his deſtruction would be inevitable, and he would juſtly merit it at her hands. Nor would Elizabeth ſcreen him from this, by a public approbation of his conduct. For whatever evidence of Mary's guilt he might produce, ſhe was reſolved to give no definitive ſentence in the cauſe. Let him only demand that the matter ſhould be brought to a deciſion immediately after hearing the proof, and he would be fully convinced how falſe and inſidious her intentions were, and, by conſequence, how improper it would be for him to appear as the accuſer of his own ſovereign[r]. The candour which Norfolk ſeemed to diſcover in theſe remonſtrances, as well as the truth which they contained, made a deep impreſſion on the regent. He daily received the ſtrongeſt aſſurances of Mary's willingneſs to be reconciled to him, if he abſtained from accuſing her of ſuch an odious crime, together with the denunciations of her irreconcilable hatred, if he acted a contrary part[s]. All theſe conſiderations concurred in determining him to alter his purpoſe, and to make trial of the expedient which the duke had ſuggeſted.

BOOK V. 1568.

He demanded therefore to be informed, before he proceeded farther, whether the Engliſh commiſſioners were empowered to declare the queen guilty by a judicial act; whether they would promiſe to paſs ſentence without delay; whether the queen ſhould be kept under ſuch reſtraint as to prevent her from diſturbing the government now eſtabliſhed in Scotland; and whether Elizabeth, if ſhe approved of the October 9.

[r] Melv. 187. Haynes, 573.

[s] Anders. vol. iv. part ii. 77. Good. vol. ii. 17. See Append. No. XXIX.

proceed-

BOOK V. 1568.

proceedings of the king's party, would engage to protect it for the future[t]. The paper containing theſe demands was ſigned by himſelf alone, without communicating it to any of his attendants, except Maitland and Melvil[u]. But leſt ſo many precautions ſhould excite any ſuſpicion of their proceeding, from ſome conſciouſneſs of defect in the evidence which he had to produce againſt his ſovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the duke of Norfolk, the earl of Suſſex, and ſir Ralph Sadler, and to lay before them, not in their public characters as commiſſioners, but as private perſons, Mary's letters to Bothwell, her ſonnets, and all the other papers upon which were founded the charge of her being acceſſory to the murder of the king, and to declare that this confidential communication was made to them, with a view to learn whether the queen of England would conſider this evidence as ſufficient to eſtabliſh the truth of the accuſation. Nothing could be more natural than the regent's ſolicitude, to know on what footing he ſtood. To have ventured on a ſtep ſo uncommon and dangerous, as the accuſing his ſovereign, without previouſly aſcertaining that he might take it with ſafety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any ſuch difficulty, had not empowered her commiſſioners to give him that ſatisfaction which he demanded. It became neceſſary to tranſmit the articles to herſelf, and by the light in which Norfolk placed them, it is eaſy to ſee that he wiſhed that they ſhould make no ſlight impreſſion on Elizabeth and her miniſters. "Think "not the Scots," ſaid he, "over-ſcrupulous or preciſe. "Let us view their conduct as we would wiſh our own to "be viewed in a like ſituation. The game they play is "deep; their eſtates, their lives, their honour are at ſtake. "It is now in their own power to be reconciled to their "queen, or to offend her irrecoverably; and in a matter of "ſo much importance the utmoſt degree of caution is not "exceſſive[x]."

WHILE the Engliſh commiſſioners waited for fuller inſtructions with regard to the regent's demands, he gave in an anſwer to the complaint which had been offered in name of the Scottiſh queen. It was expreſſed in terms perfectly conformable to the ſyſtem which he had at that time adopted. It contained no inſinuation of the queen's being acceſſory to the murder of her huſband; the bitterneſs of ſtyle peculiar to the age was conſiderably abated; and though he plea[ded]

[t] Anderſ. vol. iv. part ii. 55. State Trials, i. 91, &c.
[u] Anderſ. vol. iv. part ii. 56. Melv. 190. [x] Anderſ. vol. iv. 77.

that the infamy of the marriage with Bothwell made it necessary to the nation in order to diſſolve it; though Mary's attachment to a man ſo odious juſtified the keeping her for ſome time under reſtraint; yet nothing more was ſaid on theſe ſubjects than was barely requiſite in his own defence. The queen's commiſſioners did not fail to reply [1]. But while the article with regard to the murder remained untouched, theſe were only ſkirmiſhes at a diſtance, of no conſequence towards ending the conteſt, and were little regarded by Elizabeth or her commiſſioners.

BOOK V. 1568.

October 17.

The conference removed to Weſtminſter.

This conference had, hitherto, been conducted in a manner which diſappointed Elizabeth's views, and produced none of thoſe diſcoveries which ſhe had expected. The diſtance between York and London, and the neceſſity of conſulting her upon every difficulty which occurred, conſumed much time. Norfolk's negotiation with the Scottiſh regent, however ſecretly carried on, was not, in all probability, unknown to a princeſs ſo remarkable for her ſagacity in penetrating the deſigns of her enemies, and ſeeing through their deepeſt ſchemes [2]. Inſtead, therefore, of returning any anſwer to the regent's demands, ſhe reſolved to remove the conference to Weſtminſter, and to appoint new commiſſioners, in whom ſhe could more abſolutely confide. Both the queen of Scots and the regent were brought without difficulty to approve of this reſolution [3].

We often find Mary boaſting of the ſuperiority in argument obtained by her commiſſioners during the conference at York, and how, by the ſtrength of their reaſons, they confounded her adverſaries, and ſilenced all their cavils [4]. The diſpute ſtood, at that time, on a footing which rendered her victory not only apparent, but eaſy. Her participation of the guilt of the king's murder was the circumſtance upon which her ſubjects ought to have reſted, as a juſtification of their violent proceedings againſt her; and while they induſtriouſly avoided mentioning that, her cauſe gained as much as that of her adverſaries loſt by ſuppreſſing this capital argument.

Elizabeth reſolved that Mary ſhould not enjoy the ſame advantage in the conference to be held at Weſtminſter. She deliberated with the utmoſt anxiety, how ſhe might overcome the regent's ſcruples, and perſuade him to accuſe the queen. She conſidered of the moſt proper method for bringing Mary's commiſſioners to anſwer ſuch an accuſation; and

[1] Anderſ. vol. iv. part ii. 64. 80.
[2] Good. vol. ii. 160. Anderſ. vol. iii. 24.
[3] Haynes, 484. Anderſ. vol. iv. 94.
[4] Good. vol. i. 186, 284, 330.

BOOK V. 1568.

as ſhe foreſaw that the promiſes with which it was neceſſary to allure the regent, and which it was impoſſible to conceal from the Scottiſh queen, would naturally exaſperate her to a great degree, ſhe determined to guard her more narrowly than ever; and though lord Scroop had given her no reaſon to diſtruſt his vigilance or fidelity, yet becauſe he was the duke of Norfolk's brother-in-law, ſhe thought it proper to remove the queen as ſoon as poſſible to Tuthbury in Staffordſhire, and commit her to the keeping of the earl of Shrewſbury, to whom that caſtle belonged [c].

Mary's ſuſpicions of Elizabeth's intentions. October 21.

MARY began to ſuſpect the deſign of this ſecond conference; and notwithſtanding the ſatisfaction ſhe expreſſed at ſeeing her cauſe taken more immediately under the queen's own eye [d], ſhe framed her inſtructions to her commiſſioners in ſuch a manner, as to avoid being brought under the neceſſity of anſwering the accuſation of her ſubjects, if they ſhould be ſo deſperate as to exhibit one againſt her [e]. Theſe ſuſpicions were ſoon confirmed by a circumſtance extremely mortifying. The regent having arrived at London, in order to be preſent at the conference, was immediately admitted into Elizabeth's preſence, and received by her, not only with reſpect, but with affection. This Mary juſtly conſidered as an open declaration of that queen's partiality towards her adverſaries. In the firſt emotions of her reſentment, ſhe wrote to her commiſſioners, and commanded them to complain, in the preſence of the Engliſh nobles and before the ambaſſadors of foreign princes, of the uſage ſhe had hitherto met with, and the additional injuries which ſhe had reaſon to apprehend. Her rebellious ſubjects were allowed acceſs to the queen, ſhe was excluded from her preſence; they enjoyed full liberty, ſhe languiſhed under a long impriſonment; they were encouraged to accuſe her, in defending herſelf ſhe laboured under every diſadvantage. For theſe reaſons ſhe once more renewed her demand of being admitted into the queen's preſence: and if that were denied, ſhe inſtructed them to declare, that ſhe recalled the conſent which ſhe had given to the conference at Weſtminſter, and proteſted, that whatever was done there, ſhould be held to be null and invalid [f].

Nov. 22. Claims a perſonal audience of Elizabeth.

THIS, perhaps, was the moſt prudent reſolution Mary could have taken. The pretences on which ſhe declined the conference were plauſible, and the juncture for offering them well choſen. But either the queen's letter did not

[c] Haynes, 487.
[d] Anderſ. vol. iv. part ii. 95.
[e] Good. vol. ii. 349.
[f] Good. vol. ii. 184.

reach

teach her commiſſioners in due time, or they ſuffered themſelves to be deceived by Elizabeth's profeſſions of regard for their miſtreſs, and conſented to the opening of the conference [g]. 1568.

To the commiſſioners who had appeared in her name at York, Elizabeth now added ſir Nicholas Bacon, keeper of the great ſeal, the earls of Arundel and Leiceſter, lord Clinton, and ſir William Cecil [h]. The difficulties which obſtructed the proceedings at York were quickly removed. A ſatisfying anſwer was given to the regent's demands; nor was he ſo much diſpoſed to heſitate and raiſe objections as formerly. His negotiation with Norfolk had been diſcovered to Morton by ſome of Mary's attendants, and he had communicated it to Cecil [i]. His perſonal ſafety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, ſhe might at any time ruin him, and by a queſtion which ſhe artfully ſtarted, concerning the perſon who had a right, by the law of Scotland, to govern the kingdom during a minority, ſhe let him ſee, that, even without reſtoring the queen, it was an eaſy matter for her to deprive him of the ſupreme direction of affairs [k]. Theſe conſiderations, which were powerfully ſeconded by moſt of his attendants, at length determined the regent to produce his accuſation againſt the queen. Nov. 25.

The regent accuſes the queen of being acceſſory to her huſband's murder.

He endeavoured to leſſen the obloquy with which he was ſenſible this action would be attended, by proteſting, that it was with the utmoſt reluctance he undertook this diſagreeable taſk; that his party had long ſuffered their conduct to be miſconſtrued, and had borne the worſt imputations in ſilence, rather than expoſe the crimes of their ſovereign to the eyes of ſtrangers; but that now the inſolence and importunity of the adverſe faction forced them to publiſh what they had hitherto, though with loſs to themſelves, endeavoured to conceal [l]. Theſe pretexts are decent; and the conſiderations which he mentions had, during ſome time, a real influence upon the conduct of the party; but ſince the meeting of parliament held in December, they had diſcovered ſo little delicacy and reſerve with reſpect to the queen's actions, as renders it impoſſible to give credit to thoſe ſtudied profeſſions. The regent and his aſſociates were drawn, it is plain, partly by the neceſſity of their affairs, and partly by Elizabeth's artifices, into a ſituation where no liberty of choice was left to them; and they were obliged

g Anderſ. vol. iii. 25.
h Haynes, 484.
i Id. vol. iv. part ii. 99.
k Anderſ. vol. iv. part ii. 115.
l Melv. 191.

BOOK V. either to acknowledge themſelves to be guilty of rebellion, or to charge Mary with having been acceſſory to the commiſſion of murder.

1568. THE accuſation itſelf was conceived in the ſtrongeſt terms. Mary was charged, not only with having conſented to the murder, but with being acceſſory to the contrivance and execution of it. Bothwell, it was pretended, had been ſcreened from the purſuits of juſtice by her favour; and ſhe had formed deſigns no leſs dangerous to the life of the young prince, than ſubverſive of the liberties and conſtitution of the kingdom. If any of theſe crimes ſhould be denied, an offer was made to produce the moſt ample and undoubted evidence in confirmation of the charge [m].

Nov. 29. AT the next meeting of the commiſſioners, the earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his ſon, he implored Elizabeth's juſtice againſt the queen of Scots, whom he accuſed upon oath of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the ſtage ſo opportunely, and at a juncture ſo critical, can ſcarce be imputed to chance. This contrivance was manifeſtly Elizabeth's, in order to increaſe, by this additional accuſation, the infamy of the Scottiſh queen [n].

Her commiſſioners refuſe to anſwer. Decemb. 4. MARY'S commiſſioners expreſſed the utmoſt ſurpriſe and indignation at the regent's preſumption, in loading the queen with calumnies which, as they affirmed, ſhe had ſo little merited. But, inſtead of attempting to vindicate her honour, by a reply to the charge, they had recourſe to an article in their inſtructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their miſtreſs's requeſt of a perſonal interview, they proteſted, if that were denied her, againſt all the future proceedings of the commiſſioners [o]. A proteſtation of this nature, offered juſt at the critical time, when ſuch a bold accuſation had been preferred againſt Mary, and when the proofs in ſupport of it were ready to be examined, gave reaſon to ſuſpect that ſhe dreaded the event of that examination. This ſuſpicion received the ſtrongeſt confirmation from another circumſtance; Roſs and Herries, before they were introduced to Elizabeth, in order to make this proteſtation, privately acquainted Leiceſter and Cecil, that as their miſtreſs had from the beginning diſcovered an inclination towards bringing the differences between herſelf

[m] Anderſ. vol. iv. part ii. 119. [n] Id. ibid. 122. [o] Id. ibid. 133. 153, &c.

and

and her ſubjects to an amicable accommodation, ſo ſhe was ſtill BOOK
deſirous, notwithſtanding the regent's audacious accuſation, V.
that they ſhould be terminated in that manner. 1568.

SUCH moderation ſeems hardly to be compatible with the ſtrong reſentment which calumniated innocence naturally feels; or with that eagerneſs to vindicate itſelf which it always diſcovers. In Mary's ſituation, an offer ſo ill-timed muſt be conſidered as a confeſſion of the weakneſs of her cauſe. The known character of her commiſſioners exempts them from the imputation of folly, or the ſuſpicion of treachery. Some ſecret conviction, that the conduct of their miſtreſs could not bear ſo ſtrict a ſcrutiny as muſt be made into it, if they ſhould reply to the accuſation preferred by Murray againſt her, ſeems to be the moſt probable motive of this imprudent propoſal, by which they endeavoured to avoid it.

IT appeared in this light to Elizabeth, and afforded her a Decemb. 4.
pretence for rejecting it. She repreſented to Mary's commiſſioners, that in the preſent juncture, nothing could be ſo diſhonourable to their miſtreſs as an accommodation; and that the matter would ſeem to be huddled up in this manner, merely to ſuppreſs diſcoveries, and to hide their ſhame; nor was it poſſible that ſhe could be admitted with any decency into her preſence, while ſhe lay under the infamy of ſuch a public accuſation.

UPON this repulſe, Mary's commiſſioners withdrew; and as they had declined anſwering, there ſeemed now to be no further reaſon for the regent's producing the proofs in ſupport of his charge. But without getting theſe into her hands, Elizabeth's ſchemes were incomplete; and her artifice for this purpoſe was as mean, but as ſucceſsful, as any ſhe had hitherto employed. She commanded her commiſſioners to teſtify her indignation and diſpleaſure at the regent's preſumption, in forgetting ſo far the duty of a ſubject, as to accuſe his ſovereign of ſuch atrocious crimes. He, in order to regain the good opinion of ſuch a powerful protectreſs, offered to ſhew that his accuſations were not malicious nor ill-grounded. Then were produced and ſubmitted to the inſpection of the Engliſh commiſſioners, the acts of the Scottiſh parliament in confirmation of the regent's authority, and of the queen's reſignation; the confeſſions of the perſons executed for the king's murder; and the fatal caſket which contained the letters, ſonnets, and contracts, that have been already mentioned.

P Anderſon, vol. iv. part ii. 134. Cabbala, 157.

BOOK V.

1568. Elizabeth treats Mary with greater rigour. Dec. 14.

As ſoon as Elizabeth got theſe into her poſſeſſion, ſhe laid them before her privy council, to which ſhe joined, on this occaſion, ſeveral noblemen of the greateſt eminence in her kingdom; in order that they might have an opportunity of conſidering the mode in which an inquiry of ſuch public importance had been hitherto conducted, as well as the amount of the evidence now brought againſt a perſon who claimed a preferable right of ſucceſſion to the Engliſh crown. In this reſpectable aſſembly all the proceedings in the conferences at York and Weſtminſter were reviewed, and the evidence produced by the regent of Scotland againſt his ſovereign was examined with attention. In particular, the letters and other papers ſaid to be written by the queen of Scots, were carefully compared "for the manner of writing "and orthography," with a variety of letters which Elizabeth had received at different times from the Scottiſh queen; and, as the reſult of a moſt accurate collation, the members of the privy council, and noblemen conjoined with them, declared that no difference between theſe could be diſcovered [q]. Elizabeth, having eſtabliſhed a fact ſo unfavourable to her rival, began to lay aſide the expreſſions of friendſhip and reſpect which ſhe had hitherto uſed in all her letters to the Scottiſh queen. She now wrote to her in ſuch terms, as if the preſumptions of her guilt had amounted almoſt to certainty; ſhe blamed her for refuſing to vindicate herſelf from an accuſation which could not be left unanſwered, without a manifeſt injury to her character; and plainly intimated, that unleſs that were done, no change would be made in her preſent ſituation [r]. She hoped that ſuch a diſcovery of her ſentiments would intimidate Mary, who was hardly recovered from the ſhock of the regent's attack on her reputation, and force her to confirm her reſignation of the crown, to ratify Murray's authority as regent, and to conſent that both herſelf and her ſon ſhould reſide in England, under Engliſh protection. This ſcheme Elizabeth had much at heart; ſhe propoſed it both to Mary and to her commiſſioners, and neglected no argument, nor artifice, that could poſſibly recommend it. Mary ſaw how fatal this would prove to her reputation, to her pretenſions, and even to her perſonal ſafety. She rejected it without heſitation. "Death," ſaid ſhe, "is leſs dreadful than ſuch an ignominious ſtep. Rather than give away, with my own hands, "the crown which deſcended to me from my anceſtors, I

[q] Anderſon, vol. iv. part ii. 170, &c.
[r] Id. ibid. 179. 183. Good. vol. ii. 260.

"will

"will part with life; but the laſt words I utter, ſhall be "thoſe of a queen of Scotland!"

BOOK V.

1568.

AT the ſame time ſhe ſeems to have been ſenſible how open her reputation lay to cenſure, while ſhe ſuffered ſuch a public accuſation to remain unanſwered; and though the conference was now diſſolved, ſhe empowered her commiſſioners to preſent a reply to the allegations of her enemies, in which ſhe denied, in the ſtrongeſt terms, the crimes imputed to her; and recriminated upon the regent and his party, by accuſing them of having deviſed and executed the murder of the king[s]. The regent and his aſſociates aſſerted their innocence with great warmth. Mary continued to inſiſt on a perſonal interview, a condition which ſhe knew would never be granted[a]. Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evaſions, and ſubterfuges to which both queens had recourſe by turns, that Mary avoided, and Elizabeth did not deſire to make, any further progreſs in the inquiry.

Dec. 24.

THE regent was now impatient to return into Scotland, where his adverſaries were endeavouring, in his abſence, to raiſe ſome commotions. Before he ſet out, he was called into the privy council, to receive a final declaration of Elizabeth's ſentiments. Cecil acquainted him, in her name, that on one hand nothing had been objected to his conduct, which ſhe could reckon detrimental to his honour, or inconſiſtent with his duty; nor had he, on the other hand, produced any thing againſt his ſovereign, on which ſhe could found an unfavourable opinion of her actions; and for this reaſon ſhe reſolved to leave all the affairs of Scotland preciſely in the ſame ſituation in which ſhe had found them at the beginning of the conference. The queen's commiſſioners were diſmiſſed much in the ſame manner[x].

1569. Feb. 2. Diſmiſſes the regent without either approving or condemning his conduct;

AFTER the attention of both nations had been fixed ſo earneſtly on this conference upwards of four months, ſuch a concluſion of the whole appears at firſt ſight trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future ſchemes. Notwithſtanding her ſeeming impartiality, ſhe had no thoughts of continuing neuter; nor was ſhe at any loſs on whom to beſtow her protection. Before the regent left London, ſhe ſupplied him with a conſiderable ſum of money, and engaged to ſupport the king's authority to the utmoſt of her power[y]. Mary, by her

but ſecretly ſupports his party.

[s] Haynes, 497. See App. No XXX. Good. vol. ii. 274. 301.
[t] Good. ii. 285. [u] Ibid. 283. Cabbala, 157.
[x] Good. ii. 315. 333. [y] Ibid. 213. Carte, iii. 478.

BOOK V. 1569.

own conduct, fortified this reſolution. Enraged at the repeated inſtances of Elizabeth's artifice and deceit, which ſhe had diſcovered during the progreſs of the conference, and deſpairing of ever obtaining any ſuccour from her, ſhe endeavoured to rouſe her own adherents in Scotland to arms, by imputing ſuch deſigns to Elizabeth and Murray, as could not fail to inſpire every Scotchman with indignation. Murray, ſhe pretended, had agreed to convey the prince her ſon into England; to ſurrender to Elizabeth the places of greateſt ſtrength in the kingdom; and to acknowledge the dependence of the Scottiſh upon the Engliſh nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and at the ſame time the queſtion with regard to the Engliſh ſucceſſion was to be decided in favour of the earl of Hartford, who had promiſed to marry one of Cecil's daughters. An account of theſe wild and chimerical projects was ſpread induſtriouſly among the Scots. Elizabeth, perceiving it was calculated of purpoſe to bring her government into diſreputation, laboured to deſtroy its effects, by a counter-proclamation, and became more diſguſted than ever with the Scottiſh queen [z].

Efforts of Mary's adherents againſt him.

THE regent, on his return, found the kingdom in the utmoſt tranquillity. But the rage of the queen's adherents, which had been ſuſpended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whoſe high quality and pretenſions entitled him to great authority in the nation. This was the duke of Chatelherault, who had reſided for ſome years in France, and was now ſent over by that court with a ſmall ſupply of money, in hopes that the preſence of the firſt nobleman in the kingdom would ſtrengthen the queen's party. Elizabeth had detained him in England, for ſome months, under various pretences, but was obliged at laſt to ſuffer him to proceed on his journey. Before his departure, Mary inveſted him with the high dignity of her lieutenant general in Scotland, together with the fantaſtic title of her adopted father.

Feb. 25.

His vigorous conduct breaks her party.

THE regent did not give him time to form his party into any regular body. He aſſembled an army with his uſual expedition, and marched to Glaſgow. The followers of Argyll and Huntly, who compoſed the chief part of the queen's faction, being ſeated in corners of the kingdom very diſtant from each other, and many of the duke's de-

[z] Haynes, 500. 503. See Append. No. XXXI.

pendants

pendants having been killed or taken in the battle of Langside, the ſpirit and ſtrength of his adherents were totally broken, and an accommodation with the regent was the only thing which could prevent the deſtruction of his eſtate and vaſſals. This was effected without difficulty, and on no unreaſonable terms. The duke promiſed to acknowledge the authority both of the king and of the regent; and to claim no juriſdiction in conſequence of the commiſſion which he had received from the queen. The regent bound himſelf to repeal the act which had paſſed for attainting ſeveral of the queen's adherents; to reſtore all who would ſubmit to the king's government to the poſſeſſion of their eſtates and honours; and to hold a convention, wherein all the differences between the two parties ſhould be ſettled by mutual conſent. The duke gave hoſtages for his faithful performance of the treaty; and, in token of their ſincerity, he and lord Herries accompanied the regent to Stirling, and viſited the young king. The regent ſet at liberty the priſoners taken at Langſide[a]. 1569.

Argyll and Huntly refuſed to be included in this treaty. A ſecret negotiation was carrying on in England, in favour of the captive queen, with ſo much ſucceſs, that her affairs began to wear a better aſpect, and her return into her own kingdom ſeemed to be an event not very diſtant. The French king had lately obtained ſuch advantages over the Hugonots, that the extinction of that party appeared to be inevitable, and France, by recovering domeſtic tranquillity, would be no longer prevented from protecting her friends in Britain. Theſe circumſtances not only influenced Argyll and Huntly, but made ſo deep an impreſſion on the duke, that he appeared to be wavering and irreſolute, and plainly diſcovered that he wiſhed to evade the accompliſhment of the treaty. The regent ſaw the danger of allowing the duke to ſhake himſelf looſe, in this manner, from his engagements; and inſtantly formed a reſolution equally bold and politic. He commanded his guards to ſeize Chatelherault in his own houſe in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardleſs either of his dignity as the firſt nobleman in the kingdom, and next heir to the crown, or of the promiſes of perſonal ſecurity, on which he had relied, committed him and lord Herries priſoners to the caſtle of Edinburgh[b]. A blow ſo fatal and unexpected diſpirited the party. Argyll ſubmitted to the

[a] Cabbala, 161. Crawf. Mem. 106.

[b] Crawf. Mem. 111. Melv. 202.

king's

BOOK V.

king's government, and made his peace with the regent on very eaſy terms; and Huntly, being left alone, was at laſt obliged to lay down his arms.

1569. April 16. July 21. A propoſal in favour of Mary rejected.

Soon after, lord Boyd returned into Scotland, and brought letters to the regent, both from the Engliſh and Scottiſh queens. A convention was held at Perth, in order to conſider them. Elizabeth's letter contained three different propoſals with regard to Mary; that ſhe ſhould either be reſtored to the full poſſeſſion of her former authority; or be admitted to reign jointly with the king her ſon; or at leaſt be allowed to reſide in Scotland, in ſome decent retirement, without any ſhare in the adminiſtration of government. Theſe overtures were extorted by the importunity of Fenelon the French ambaſſador, and have ſome appearance of being favourable to the captive queen. They were, however, perfectly ſuitable to Elizabeth's general ſyſtem with regard to Scottiſh affairs. Among propoſitions ſo unequal and diſproportionate, ſhe eaſily ſaw where the choice would fall. The two former were rejected; and long delays muſt neceſſarily have intervened, and many difficulties have ariſen, before every circumſtance relative to the laſt could be finally adjuſted [c].

Norfolk's ſcheme for marrying the queen of Scots.

Mary, in her letter, demanded that her marriage with Bothwell ſhould be reviewed by the proper judges, and if found invalid, ſhould be diſſolved by a legal ſentence of divorce. This fatal marriage was the principal ſource of all the calamities ſhe had endured for two years; a divorce was the only thing which could repair the injuries her reputation had ſuffered by that ſtep. It was her intereſt to have propoſed it early; and it is not eaſy to account for her long ſilence with reſpect to this point. Her particular motive for propoſing it at this time began to be ſo well known, that the demand was rejected by the convention of eſtates [d]. They imputed it not ſo much to any abhorrence of Bothwell, as to her eagerneſs to conclude a marriage with the duke of Norfolk.

This marriage was the object of that ſecret negotiation in England, which we have already mentioned. The fertile and projecting genius of Maitland firſt conceived this ſcheme. During the conference at York, he communicated it to the duke himſelf, and to the biſhop of Roſs. The former rea-

[c] Spotſwood, 230.

[d] Ibid. 231. In a privy council, held July 30, 1569, this demand was conſidered; and, of fifty-one members preſent, only ſeven voted to comply with the queen's requeſt. Records Priv. Counc. MS. in the Lyon Office, p. 148.

dily cloſed with a ſcheme ſo flattering to his ambition. The latter conſidered it as a probable device for reſtoring his miſtreſs to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correſpondence by means of his ſiſter lady Scroop, averſe from a meaſure, which would have reſtored her to her kingdom with ſo much ſplendour[e]. The ſudden removal of the conference from York to Weſtminſter ſuſpended, but did not break off this intrigue. Maitland and Roſs were ſtill the duke's prompters, and his agents; and many letters and love tokens were exchanged between him and the queen of Scots.

BOOK IV. 1569.

But as he could not hope, that under an adminiſtration ſo vigilant as Elizabeth's, ſuch an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openneſs and candour, an artifice which ſeldom fails of ſucceſs. He mentioned to her the rumour which was ſpread of his marriage with the Scottiſh queen; he complained of it as a groundleſs calumny; and diſclaimed all thoughts of that kind, with many expreſſions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, ſhe ſeems to have credited theſe profeſſions[f]. But, inſtead of diſcontinuing the negotiation, he renewed it with greater vigour, and admitted into it new aſſociates. Among theſe was the regent of Scotland. He had given great offence to Norfolk, by his public accuſation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Weſtmorland, the moſt powerful noblemen in that part of the kingdom, threatened to revenge upon the regent the injuries which he had done his ſovereign. Murray, in order to ſecure a ſafe return into Scotland, addreſſed himſelf to Norfolk, and after ſome apology for his paſt conduct, he inſinuated that the duke's ſcheme of marrying the queen his ſiſter was no leſs acceptable to him than beneficial to both kingdoms; and that he would concur with the utmoſt ardour in promoting ſo deſirable an event[g]. Norfolk heard him with the credulity natural to thoſe who are paſſionately bent upon any deſign. He wrote to the two earls to deſiſt from any hoſtile attempt againſt Murray, and to that he owed his paſſage through the northern counties without diſturbance.

Conceals it from Elizabeth.

[e] Camd. 419. Haynes, 573. State Trials, i. 73.
[f] Haynes, 574. State Trials, i. 79, 80.
[g] Anderſon, iii. 34.

ENCOURAGED

BOOK V.

1569. Gains the conſent of the Engliſh nobles.

Encouraged by his ſucceſs in gaining the regent, he next attempted to draw the Engliſh nobles to approve his deſign. The nation began to deſpair of Elizabeth's marrying. Her jealouſy kept the queſtion with regard to the right of ſucceſſion undecided. The memory of the civil wars, which had deſolated England for more than a century, on account of the diſputed titles of the houſes of York and Lancaſter, was ſtill recent. Almoſt all the ancient nobility had periſhed, and the nation itſelf had been brought to the brink of deſtruction in that unhappy conteſt. The Scottiſh queen, though her right of ſucceſſion was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popiſh prince, and bring both liberty and religion into danger. But, by marrying her to an Engliſhman, a zealous proteſtant, the moſt powerful and moſt univerſally beloved of all the nobles, an effectual remedy ſeemed to be provided againſt all theſe evils. The greater part of the peers, either directly or tacitly, approved of it, as a ſalutary project. The earls of Arundel, Pembroke, Leiceſter, and lord Lumley, ſubſcribed a letter to the Scottiſh queen, written with Leiceſter's hand, in which they warmly recommended the match, but inſiſted, by way of preliminary, on Mary's promiſe, that ſhe ſhould attempt nothing, in conſequence of her pretenſions to the Engliſh crown, prejudicial to Elizabeth, or to her poſterity; that ſhe ſhould conſent to a league, offenſive and defenſive, between the two kingdoms; that ſhe ſhould confirm the preſent eſtabliſhment of religion in Scotland; and receive into favour ſuch of her ſubjects as had appeared in arms againſt her. Upon her agreeing to the marriage and ratifying theſe articles, they engaged that the Engliſh nobles would not only concur in reſtoring her immediately to her own throne, but in ſecuring to her that of England in reverſion. Mary readily conſented to all theſe propoſals, except the ſecond, with regard to which ſhe demanded ſome time for conſulting her ancient ally the French king [h].

The whole of this negotiation was induſtriouſly concealed from Elizabeth. Her jealouſy of the Scottiſh queen was well known, nor could it be expected that ſhe would willingly come into a meaſure, which tended ſo viſibly to ſave the reputation, and to increaſe the power of her rival. But in a matter of ſo much conſequence to the nation, the taking a few ſteps without her knowledge could hardly be reckoned criminal; and while every perſon concerned, even Mary and Norfolk themſelves, declared that nothing ſhould be con-

[h] Anderſon, vol. ii. 51. Camd. 420.

cluded

cluded without obtaining her consent, the duty and allegiance of subjects seemed to be fully preserved. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue, had farther and more dangerous views. They saw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promises which she came under, to be distant and uncertain. They had early communicated their scheme to the kings of France and Spain, and obtained their approbation[1]. A treaty concerning which they consulted foreign princes, while they concealed it from their own sovereign, could not be deemed innocent. They hoped, however, that the union of such a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so strong would be altogether irresistible; and such was their confidence of success, that when a plan was concerted in the north of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if she recovered her liberty, her sentiments in his favour might change, used all his interest to dissuade the conspirators from attempting it[k].

In this situation did the affair remain when lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in cyphers from Norfolk and Throkmorton to the regent and to Maitland. These were full of the most sanguine hopes. All the nobles of England concurred, said they, in favouring the design. Every preliminary was adjusted; nor was it possible that a scheme so deep laid, conducted with so much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the regent to hasten that, by procuring a sentence of divorce, which would remove the only obstacle that stood in the way. This was expected of him, in consequence of his promise to Norfolk; and if he regarded either his interest or his fame, or even his safety, he would not fail to fulfil these engagements[l].

But the regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downfal of his own power must be the first consequence of the duke's success; and if the queen, who considered him as the chief author of all her misfortunes, should recover her ancient au-

[1] Anders. vol. iii. 63.
[k] Camd. 420.
[l] Haynes, 520. Spotsw. 230. See Appendix, No. XXXII.

thority,

BOOK V. 1569.

thority, he could never expect favour, nor ſcarce hope for impunity. No wonder he declined a ſtep ſo fatal to himſelf, and which would have eſtabliſhed the grandeur of another on the ruins of his own. This refuſal occaſioned a delay. But, as every other circumſtance was ſettled, the biſhop of Roſs, in the name of his miſtreſs, and the duke, in perſon, declared, in preſence of the French ambaſſador, their mutual conſent to the marriage, and a contract to this purpoſe was ſigned, and intruſted to the keeping of the ambaſſador [m].

August 13. Elizabeth diſcovers the duke's deſign, and defeats it.

THE intrigue was now in ſo many hands, that it could not long remain a ſecret. It began to be whiſpered at court; and Elizabeth calling the duke into her preſence, expreſſed the utmoſt indignation at his conduct, and charged him to lay aſide all thoughts of proſecuting ſuch a dangerous deſign. Soon after Leiceſter, who perhaps had countenanced the project with no other intention, revealed all the circumſtances of it to the queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Haſtings earl of Huntingdon, who pretended to diſpute with the Scottiſh queen her right to the ſucceſſion, being joined in commiſſion with Shrewſbury, rendered her impriſonment more intolerable, by the exceſs of his vigilance and rigour [n]. The Scottiſh regent, threatened with Elizabeth's diſpleaſure, meanly betrayed the duke; put his letters into her hands, and furniſhed all the intelligence in his power [o]. The duke himſelf retired firſt to Howard-houſe, and then, in contempt of the ſummons to appear before the privy council, fled to his ſeat in Norfolk. Intimidated by the impriſonment of his aſſociates; coldly received by his friends in that country; unprepared for a rebellion; and unwilling perhaps to rebel; he heſitated for ſome days, and at laſt obeyed a ſecond call, and repaired to Windſor. He was firſt kept as a priſoner in a private houſe, and then ſent to the Tower. After being confined there upwards of nine months, he was releaſed upon his humble ſubmiſſion to Elizabeth, giving her a promiſe, on his allegiance, to hold no farther correſpondence with the queen of Scots [p]. During the progreſs of Norfolk's negotiations, the queen's partiſans in Scotland, who made no doubt of their ſucceeding in her reſtoration to the throne, with an increaſe of authority, were wonderfully elevated. Maitland was the ſoul of that party,

October 3.

Maitland impriſoned by the regent.

[m] Carte, vol. iii. 486. [n] Haynes, 523, 326. 530. 532.
[o] See Append. No. XXXIII. [p] Haynes, 525. 597.

and

and the perſon whoſe activity and ability the regent chiefly dreaded. He had laid the plan of that intrigue which had kindled ſuch combuſtion in England. He continued to foment the ſpirit of diſaffection in Scotland, and had ſeduced from the regent lord Home, Kirkaldy, and ſeveral of his former aſſociates. While he enjoyed liberty, the regent could not reckon his own power ſecure. For this reaſon, having by an artifice allured Maitland to Stirling, he employed captain Crawford, one of his creatures, to accuſe him of being acceſſory to the murder of the king; and under that pretence he was arreſted and carried as a priſoner to Edinburgh. He would ſoon have been brought to trial, but was ſaved by the friendſhip of Kirkaldy, governor of the caſtle, who, by pretending a warrant for that purpoſe from the regent, got him out of the hands of the perſon to whoſe care he was committed, and conducted him into the caſtle, which from that time was entirely under Maitland's command[s]. The loſs of a place of ſo much importance, and the defection of a man ſo eminent for military ſkill as Kirkaldy, brought the regent into ſome diſreputation, for which, however, the ſucceſs of his ally Elizabeth, about this time, abundantly compenſated.

BOOK V. V. 1569.

THE intrigue carried on for reſtoring the Scottiſh queen to liberty having been diſcovered and diſappointed, an attempt was made to the ſame purpoſe by force of arms; but the iſſue of it was not more fortunate. The earls of Northumberland and Weſtmorland, though little diſtinguiſhed by their perſonal abilities, were two of the moſt ancient and powerful of the Engliſh peers. Their eſtates in the northern counties were great, and they poſſeſſed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the popiſh religion, and diſcontented with the court, where new men and a new ſyſtem prevailed. Ever ſince Mary's arrival in England, they had warmly eſpouſed her intereſt; and zeal for popery, oppoſition to the court, and commiſeration of her ſufferings, had engaged them in different plots for her relief. Notwithſtanding the vigilance of her keepers, they held a cloſe correſpondence with her, and communicated to her all their deſigns[t]. They were privy to Norfolk's ſchemes; but the caution with which he proceeded did not ſuit their ardour and impetuoſity. The liberty of the Scottiſh queen was not their ſole object. They aimed at bringing about a change in the religion, and a revolution in the government of the kingdom. For this reaſon

A rebellion againſt Elizabeth by Mary's adherents

[s] Spotſw. 232. [t] Haynes, 595. Murdin, 44. 62, &c.

BOOK V. 1569.

reaſon they ſolicited the aid of the king of Spain, the avowed and zealous patron of popery in that age. Nothing could be more delightful to the reſtleſs ſpirit of Philip, or more neceſſary towards facilitating his ſchemes in the Netherlands, than the involving England in the confuſion and miſeries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promiſed, as ſoon as they either took the field with their forces, or ſurpriſed any place of ſtrength, or reſcued the queen of Scots, that he would ſupply them both with money and a ſtrong body of troops. La Mothe, the governor of Dunkirk, in the diſguiſe of a ſailor, ſounded the ports where it would be moſt proper to land. And Chiapini Vitelli, one of Alva's ableſt officers, was diſpatched into England, on pretence of ſettling ſome commercial differences between the two nations; but in reality that the rebels might be ſure of a leader of experience, as ſoon as they ventured to take arms [s].

defeated.

THE conduct of this negotiation occaſioned many meetings and meſſages between the two earls. Elizabeth was informed of theſe; and though ſhe ſuſpected nothing of their real deſign, ſhe concluded that they were among the number of Norfolk's confidents. They were ſummoned, for this reaſon, to repair to court. Conſcious of guilt, and afraid of diſcovery, they delayed giving obedience. A

Nov. 9.

ſecond, and more peremptory order was iſſued. This they could not decline, without ſhaking off their allegiance; and as no time was left for deliberation, they inſtantly erected their ſtandard againſt their ſovereign. The re-eſtabliſhing the catholic religion; the ſettling the order of ſucceſſion to the crown; the defence of the ancient nobility; were the motives which they alleged to juſtify their rebellion [t]. Many of the lower people flocked to them with ſuch arms as they could procure; and had the capacity of their leaders been in any degree equal to the enterpriſe, it muſt have ſoon grown to be extremely formidable. Elizabeth acted with prudence and vigour; and was ſerved by her ſubjects with fidelity and ardour. On the firſt rumour of an inſurrection, Mary was removed to Coventry, a place of ſtrength, which could not be taken without a regular ſiege; a detachment of the rebels, which was ſent to reſcue her, returned without ſucceſs. Troops were aſſembled in different parts of the kingdom; as they advanced, the malecontents retired. In their retreat their numbers dwindled away, and their ſpirits ſunk. Deſpair, and uncertainty whether to

[s] Carte, vol. iii. 489, 490. Camd. 421.

[t] Strype, vol. i. 547.

direct

direct their flight, kept together for ſome time a ſmall body of them among the mountains of Northumberland; but they were at length obliged to diſperſe, and the chiefs took refuge among the Scottiſh borderers. The two earls, together with the counteſs of Northumberland, wandering for ſome days in the waſtes of Liddiſdale, were plundered by the banditti, expoſed to the rigour of the ſeaſon, and left deſtitute of the neceſſaries of life. Weſtmorland was concealed by Scot of Buccleugh and Ker of Fernihirſt, and afterwards conveyed into the Netherlands. Northumberland was ſeized by the regent, who had marched with ſome troops towards the borders, to prevent any impreſſion the rebels might make on thoſe mutinous provinces [u]. BOOK VI. 1569. Dec. 21.

Church affairs.

AMIDST ſo many ſurpriſing events, the affairs of the church, for two years, have almoſt eſcaped our notice. Its general aſſemblies were held regularly; but no buſineſs of much importance employed their attention. As the number of the proteſtant clergy daily increaſed, the deficiency of the funds ſet apart for their ſubſiſtence became greater, and was more ſenſibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at leaſt as much of it as was poſſeſſed by the popiſh incumbents, a race of men who were now not only uſeleſs but burdenſome to the nation. But though the manner in which the regent received the addreſſes and complaints of the general aſſemblies was very different from that to which they had been accuſtomed, no effectual remedy was provided; and while they ſuffered intolerable oppreſſion, and groaned under extreme poverty, fair words, and liberal promiſes, were all they were able to obtain [x].

1570. Elizabeth reſolves to give up Mary to the regent.

ELIZABETH now began to be weary of keeping ſuch a priſoner as the queen of Scots. During the former year, the tranquillity of her government had been diſturbed, firſt by a ſecret combination of ſome of her nobles, then by the rebellion of others; and ſhe often declared, not without reaſon, that Mary was the *hidden cauſe* of both. Many of her own ſubjects favoured or pitied the captive queen; the Roman catholic princes on the continent were warmly intereſted in her cauſe. The detaining her any longer in England, ſhe foreſaw, would be made the pretext or occaſion of perpetual cabals and inſurrections among the former; and might expoſe her to the hoſtile attempts of the latter. She reſolved, therefore, to give up Mary into the hands of the regent, after ſtipulating with him, not only that her days

[u] Cabbala, 171. Camd. 422. [x] Cald. vol. ii. 80, &c.

BOOK V. 1570.

ſhould not be cut ſhort, either by a judicial ſentence or by ſecret violence, but that ſhe ſhould be treated in a manner ſuited to her rank; and, in order to ſecure his obſervance of this, ſhe required that ſix of the chief noblemen in the kingdom ſhould be ſent into England as hoſtages[1]. With reſpect to the ſafe cuſtody of the queen, ſhe relied on Murray's vigilance, whoſe ſecurity, no leſs than her own, depended on preventing Mary from re-aſcending the throne. The negotiation for this purpoſe was carried ſome length, when it was diſcovered by the vigilance of the biſhop of Roſs, who, together with the French and Spaniſh ambaſſadors, remonſtrated againſt the infamy of ſuch an action, and repreſented the ſurrendering the queen to her rebellious ſubjects, to be the ſame thing as if Elizabeth ſhould, by her own authority, condemn her to inſtant death. This procured a delay; and the murder of the regent prevented the revival of that deſign[2].

But he is murdered.

HAMILTON of Bothwellhaugh was the perſon who committed this barbarous action. He had been condemned to death ſoon after the battle of Langſide, as we have already related, and owed his life to the regent's clemency. But part of his eſtate had been beſtowed upon one of the regent's favourites, who ſeized his houſe, and turned out his wife naked, in a cold night, into the open fields, where, before next morning, ſhe became furiouſly mad. This injury made a deeper impreſſion upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party-rage ſtrengthened and inflamed his private reſentment. His kinſmen the Hamiltons applauded the enterpriſe. The maxims of that age juſtified the moſt deſperate courſe which he could take to obtain vengeance. He followed the regent for ſome time, and watched for an opportunity to ſtrike the blow. He reſolved at laſt to wait till his enemy ſhould arrive at Linlithgow, through which he was to paſs in his way from Stirling to Edinburgh. He took his ſtand in a wooden gallery, which had a window towards the ſtreet; ſpread a feather-bed on the floor, to hinder the noiſe of his feet from being heard; hung up a black cloth behind him, that his ſhadow might not be obſerved from without; and after all this preparation, calmly expected the regent's approach, who had lodged during the night in a part of the town not far diſtant. Some indiſtinct information of the danger which threatened him had been conveyed to the regent, and he paid ſo much regard to it, that he reſolved to return by

1 Haynes, 524. 2 Carte, vol. iii. 491. Anderſ. vol. iii. 84.

the

the ſame gate through which he had entered, and to fetch a compaſs round the town. But as the crowd about the gate was great, and he himſelf unacquainted with fear, he proceeded directly along the ſtreet; and the throng of the people obliging him to move very ſlowly, gave the aſſaſſin time to take ſo true an aim, that he ſhot him with a ſingle bullet through the lower part of his belly, and killed the horſe of a gentleman who rode on his other ſide. His followers inſtantly endeavoured to break into the houſe whence the blow had come, but they found the door ſtrongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horſe, which ſtood ready for him at a back-paſſage, and was got far beyond their reach. The regent died the ſame night of his wound [a]. 1570.

His character.

THERE is no perſon in that age about whom hiſtorians have been more divided, or whoſe character has been drawn with ſuch oppoſite colours. Perſonal intrepidity, military ſkill, ſagacity, and vigour in the adminiſtration of civil affairs, are virtues, which even his enemies allow him to have poſſeſſed in an eminent degree. His moral qualities are more dubious, and ought neither to be praiſed nor cenſured without great reſerve, and many diſtinctions. In a fierce age he was capable of uſing victory with humanity, and of treating the vanquiſhed with moderation. A patron of learning, which, among martial nobles, was either unknown, or deſpiſed. Zealous for religion, to a degree which diſtinguiſhed him, even at a time when profeſſions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only to his liberality towards them, which knew no bounds. A diſintereſted paſſion for the liberty of his country, prompted him to oppoſe the pernicious ſyſtem which the princes of Lorrain had obliged the queen-mother to purſue. On Mary's return into Scotland, he ſerved her with a zeal and affection, to which he ſacrificed the friendſhip of thoſe who were moſt attached to his perſon. But, on the other hand, his ambition was immoderate; and events happened that opened to him vaſt projects, which allured his enterpriſing genius, and led him to actions inconſiſtent with the duty of a ſubject. His treatment of the queen, to whoſe bounty he was ſo much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was diſgraceful to the nation. He deceived and betrayed Norfolk with a baſeneſs unworthy of a man of honour. His elevation to ſuch un-

[a] Buchan. 385. Crawf. Mem. 124. Cabbala, 171.

BOOK V. 1570.

expected dignity inſpired him with new paſſions, with haughtineſs and reſerve; and inſtead of his natural manner, which was blunt and open, he affected the arts of diſſimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by ſoothing his vanity, led him aſtray, while his ancient friends ſtood at a diſtance, and predicted his approaching fall. But amidſt the turbulence and confuſion of that factious period, he diſpenſed juſtice with ſo much impartiality, he repreſſed the licentious borderers with ſo much courage, and eſtabliſhed ſuch uncommon order and tranquillity in the country, that his adminiſtration was extremely popular, and he was long and affectionately remembered among the commons, by the name of the *Good Regent*.

BOOK VI.*

BOOK VI.

THE unexpected blow, by which the regent was cut off, ſtruck the king's party with the utmoſt conſternation. Elizabeth bewailed his death as the moſt fatal diſaſter which could have befallen her kingdom; and was inconſolable to a degree that little ſuited her dignity. Mary's adherents exulted, as if now her reſtoration were not only certain, but near at hand. The infamy of the crime naturally fell on thoſe who expreſſed ſuch indecent joy at the commiſſion of it; and as the aſſaſſin made his eſcape on a horſe which belonged to lord Claud Hamilton, and fled directly to Hamilton, where he was received in triumph, it was concluded that the regent had fallen a ſacrifice to the reſentment of the queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Ferniherſt, both zealous abettors of the queen's cauſe, entered England in an hoſtile manner, and plundered and burnt the country, the inhabitants of which expected no ſuch outrage. If the regent had been alive, they would ſcarce have ventured on ſuch an irregular incurſion, nor could it well have happened ſo ſoon after his death, unleſs they had been privy to the crime.

1570. Diſorders occaſioned by the regent's death.

THIS was not the only irregularity to which the anarchy that followed the regent's death gave occaſion. During ſuch general confuſion, men hoped for univerſal impunity, and broke out into exceſſes of every kind. As it was impoſſible to reſtrain theſe without a ſettled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a regent. The queen's adherents refuſed to be preſent at the meeting, and proteſted againſt its proceedings. The king's own party was irreſolute and divided in opinion. Maitland, whom Kirkaldy had ſet at liberty, and who obtained from the nobles then aſſembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by propoſing to admit the queen to the joint adminiſtration of government with her ſon. Elizabeth, adhering to her ancient ſyſtem with regard to Scottiſh affairs,

Steps taken towards electing another regent. Feb. 12.

* In the former editions, the ſecond volume began with Book VI, and the references to the Appendix recommenced with No. I.—It has been thought proper not to vary the numbers of the Appendixes in this edition, that the references of other writers to this work may not be deranged.

BOOK VI. 1570.

laboured, notwithſtanding the ſolicitations of Mary's friends [a], to multiply, and to perpetuate the factions, which tore in pieces the kingdom. Randolph, whom ſhe diſpatched into Scotland on the firſt news of the regent's death, and who was her uſual agent for ſuch ſervices, found all parties ſo exaſperated by mutual injuries, and ſo full of irreconcilable rancour, that it coſt him little trouble to inflame their animoſity. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the firſt of May [b].

A coalition of parties attempted in vain.

MEANTIME, Maitland and Kirkaldy, who ſtill continued to acknowledge the king's authority, were at the utmoſt pains to reſtore ſome degree of harmony among their countrymen. They procured, for this purpoſe, an amicable conference among the leaders of the two factions. But while the one demanded the reſtoration of the queen, as the only thing which could re-eſtabliſh the public tranquillity; while the other eſteemed the king's authority to be ſo ſacred, that it was, on no account, to be called in queſtion or impaired; and neither of them would recede in the leaſt point from their opinions, they ſeparated without any proſpect of concord. Both were rendered more averſe from reconcilement, by the hope of foreign aid. An envoy arrived from France with promiſes of powerful ſuccour to the queen's adherents; and as the civil wars in that kingdom ſeemed to be on the point of terminating in peace, it was expected that Charles would ſoon be at liberty to fulfil what he promiſed. On the other hand, the earl of Suſſex was aſſembling a powerful army on the borders, and its operations could not fail of adding ſpirit and ſtrength to the king's party [c].

Queen's party in poſſeſſion of Edinburgh

THOUGH the attempt towards a coalition of the factions proved ineffectual, it contributed ſomewhat to moderate or ſuſpend their rage; but they ſoon began to act with their uſual violence. Morton, the moſt vigilant and able leader on the king's ſide, ſolicited Elizabeth to interpoſe, without delay, for the ſafety of a party ſo devoted to her intereſt, and which ſtood ſo much in need of her aſſiſtance. The chiefs of the queen's factions, aſſembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the caſtle and provoſt of the town, prevailed on the citizens, though with ſome difficulty, to admit them within the gates. Together with Kirkaldy, the earl of Athole, and Maitland, acceded almoſt openly to their party;

April 10.

[a] See Appendix, No. I.
[b] Crawf. Mem. 131. Calderw. ii. 157.
[c] Crawf. Mem. 134.

and

and the duke and lord Herries, having recovered liberty by Kirkaldy's favour, resumed the places which they had formerly held in their councils. Encouraged by the acquisition of persons so illustrious by their birth, or so eminent for their abilities, they published a proclamation, declaring their intention to support the queen's authority, and seemed resolved not to leave the city before the meeting of the approaching convention, in which, by their numbers and influence, they did not doubt of securing a majority of voices on their side[d]. 1570.

Endeavour to involve the nation in a war with England.

At the same time they had formed a design of kindling war between the two kingdoms. If they could engage them in hostilities, and revive their ancient emulation and antipathy, they hoped, not only to dissolve a confederacy of great advantage to the king's cause, but to reconcile their countrymen to the queen, Elizabeth's natural and most dangerous rival. With this view they had, immediately after the murder of the regent, prompted Scott and Ker to commence hostilities, and had since instigated them to continue and extend their depredations. As Elizabeth foresaw, on the one hand, the dangerous consequences of rendering this a national quarrel; and resolved, on the other, not to suffer such an insult on her government to pass with impunity; she issued a proclamation, declaring that she imputed the outrages which had been committed on the borders not to the Scottish nation, but to a few desperate and ill-designing persons; that, with the former, she was resolved to maintain an inviolable friendship, whereas the duty which she owed to her own subjects obliged her to chastise the licentiousness of the latter[e]. Sussex and Scroop accordingly entered Scotland, the one on the east, the other on the west borders, and laid waste the adjacent countries with fire and sword[f]. Fame magnified the number and progress of their troops; and Mary's adherents, not thinking themselves safe in Edinburgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public proclamation, they asserted the queen's authority, and forbad giving obedience to any but the duke, or the earls of Argyll and Huntly, whom she had constituted her lieutenants in the kingdom. April 28.

Kings' party enter Edinburgh. May 1.

The nobles who continued faithful to the king, though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as ap-

[d] Crawf. Mem. 137. Calderw. ii. 176.
[e] Calderw. ii. 181.
[f] Cabbala, 174.

BOOK VI. 1570.

peared for the queen, enemies of their country; and charging them with the murder both of the late king and of the regent. They could not, however, preſume ſo much on their own ſtrength as to venture either to elect a regent, or to take the field againſt the queen's party; but the aſſiſtance which they received from Elizabeth, enabled them to do both. By her order ſir William Drury marched into Scotland, with a thouſand foot and three hundred horſe; the king's adherents joined him with a conſiderable body of troops, and advancing towards Glaſgow, where the adverſe party had already begun hoſtilities by attacking the caſtle, they forced them to retire, plundered the neighbouring country, which belonged to the Hamiltons, and, after ſeizing ſome of their caſtles, and raſing others, returned to Edinburgh.

Motives of Elizabeth's conduct with regard to them.

UNDER Drury's protection, the earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him during the minority of his grandſon. His illuſtrious birth, and alliance with the royal family of England, as well as of Scotland, rendered him worthy of that honour. His reſentment againſt Mary being implacable, and his eſtate lying in England, and his family reſiding there, Elizabeth conſidered him as a man who, both from inclination and from intereſt, would act in concert with her, and ardently wiſhed that he might ſucceed Murray in the office of regent. But, on many accounts, ſhe did not think it prudent to diſcover her own ſentiments, or to favour his pretenſions too openly. The civil wars in France, which had been excited by a pretended zeal for religion, and carried on with a fierceneſs that did it real diſhonour, appeared now to be on the point of coming to an iſſue; and after ſhedding the beſt blood, and waſting the richeſt provinces in the kingdom, both parties deſired peace with an ardour that facilitated the negotiations which were carrying on for that purpoſe. Charles IX. was known to be a paſſionate admirer of Mary's beauty. Nor could he, in honour, ſuffer a queen of France, and the moſt ancient ally of his crown, to languiſh in her preſent cruel ſituation, without attempting to procure her relief. He had hitherto been obliged to ſatisfy himſelf with remonſtrating, by his ambaſſadors, againſt the indignity with which ſhe had been treated. But if he were once at full liberty to purſue his inclinations, Elizabeth would have every thing to dread from the impetuoſity of his temper and the power of his arms. It therefore became neceſſary for her to act with ſome reſerve, and not to appear avowedly to countenance the

choice

choice of a regent, in contempt of Mary's authority. The jealouſy and prejudices of the Scots required no leſs management. Had ſhe openly ſupported Lennox's claim; had ſhe recommended him to the convention, as the candidate of whom ſhe approved; this might have roufed the independent ſpirit of the nobles, and by too plain a diſcovery of her intention, ſhe might have defeated its ſucceſs. For theſe reaſons ſhe heſitated long, and returned ambiguous anſwers to all the meſſages which ſhe received from the king's party. A more explicit declaration of her ſentiments was at laſt obtained, and an event of an extraordinary nature ſeems to have been the occaſion of it. Pope Pius V. having iſſued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and abſolved her ſubjects from their oath of allegiance, Felton, an Engliſhman, had the boldneſs to affix it on the gates of the biſhop of London's palace. In former ages, a pope, moved by his own ambition, or pride, or bigotry, denounced this fatal ſentence againſt the moſt powerful monarchs; but as the authority of the court of Rome was now leſs regarded, its proceedings were more cautious; and it was only when they were roufed by ſome powerful prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this ſtep, which the pope had taken, to a combination of the Roman catholic princes againſt her, and ſuſpected that ſome plot was formed in favour of the Scottiſh queen. In that event, ſhe knew that the ſafety of her own kingdom depended on preſerving her influence in Scotland; and in order to ſtrengthen this, ſhe renewed her promiſes of protecting the king's adherents, encouraged them to proceed to the election of a regent, and even ventured to point out the earl of Lennox, as the perſon who had the beſt title. That honour was accordingly conferred upon him, in a convention of the whole party, held on the 12th of July [g].

BOOK VI. 1570.

Lennox elected regent.

THE regent's firſt care was, to prevent the meeting of the parliament which the queen's party had ſummoned to convene at Linlithgow. Having effected that, he marched againſt the earl of Huntly, Mary's lieutenant in the north, and forced the garriſon which he had placed in Brechin to ſurrender at diſcretion. Soon after, he made himſelf maſter of ſome other caſtles. Emboldened by this ſucceſsful beginning of his adminiſtration, as well as by the appearance of a conſiderable army, with which the earl of Suſſex hovered on the borders, he deprived Maitland of his office of

g Spotſw. 240. Cald. ii. 186. See Append. No. II.

ſecretary,

BOOK VI.

1570.

secretary, and proclaimed him, the duke, Huntly, and other leaders of the queen's party, traitors and enemies of their country [h].

Mary's adherents negociate with Spain.

In this desperate situation of their affairs, the queen's adherents had recourse to the king of Spain [i], with whom Mary had held a close correspondence ever since her confinement in England. They prevailed on the duke of Alva to send two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from them a small supply of money and arms, which were sent to the earl of Huntly [k]. But this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty, which Elizabeth was carrying on, under colour of restoring the captive queen to her throne. The first steps in this negotiation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman catholics and hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the first of April next year [l].

Elizabeth proposes a treaty of accommodation between Mary and her subjects

Soon after, Elizabeth dispatched Cecil and Sir Walter Mildmay to the queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counsellors, convinced all parties that the negotiation was serious, and that the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a prince in Mary's situation had

[h] Crawf. Mem. 159. Cald. ii. 198.
[i] See Append. No. III.
[k] Anders. iii. 122. Crawf. Mem. 153.
[l] Spotsw. 243.

reason

reaſon to expect. The ratification of the treaty of Edinburgh; the renouncing any pretenſions to the Engliſh crown, during Elizabeth's own life, or that of her poſterity; the adhering to the alliance between the two kingdoms; the pardoning her ſubjects who had taken arms againſt her; and her promiſing to hold no correſpondence, and to countenance no enterpriſe, that might diſturb Elizabeth's government; were among the chief articles. By way of ſecurity for the accompliſhment of theſe, they demanded that ſome perſons of rank ſhould be given as hoſtages, that the prince her ſon ſhould reſide in England, and that a few caſtles on the border ſhould be put into Elizabeth's hands. To ſome of theſe propoſitions Mary conſented; ſome ſhe endeavoured to mitigate; and others ſhe attempted to evade. In the mean time, ſhe tranſmitted copies of them to the pope, to the kings of France and Spain, and to the duke of Alva. She inſinuated, that without ſome timely and vigorous interpoſition in her behalf, ſhe would be obliged to accept of theſe hard conditions, and to purchaſe liberty at any price. But the pope was a diſtant and feeble ally, and by his great efforts at this time againſt the Turks, his treaſury was entirely exhauſted. Charles had already begun to meditate that conſpiracy againſt the hugonots, which marks his reign with ſuch infamy; and it required much leiſure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired ſo much renown to the Chriſtian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an inſurrection; and his ſubjects in the Netherlands, provoked by much oppreſſion and many indignities, were breaking out into open rebellion. All of them, for theſe different reaſons, adviſed Mary, without depending on their aid, to conclude the treaty on the beſt terms ſhe could procure[m].

Elizabeth's artifices in the conduct of it.

MARY accordingly conſented to many of Elizabeth's demands, and diſcovered a facility of diſpoſition, which promiſed ſtill further conceſſions. But no conceſſion ſhe could have made, would have ſatisfied Elizabeth, who, in ſpite of her repeated profeſſions of ſincerity to foreign ambaſſadors, and notwithſtanding the ſolemnity with which ſhe carried on the treaty, had no other object in it, than to amuſe Mary's allies, and to gain time[n]. After having ſo long treated a queen, who fled to her for refuge, in ſo un-

[m] Anderſ. vol. iii. 119, 120.
[n] Digges, Compl. Amb. 78.

BOOK VI. 1570. generous a manner, ſhe could not now diſmiſs her with ſafety. Under all the diſadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What deſperate effects of her juſt reſentment might be expected, if ſhe were ſet at liberty, and recovered her former power? What engagements could bind her, not to revenge the wrongs which ſhe had ſuffered, nor to take advantage of the favourable conjunctures that might preſent themſelves? Was it poſſible for her to give ſuch ſecurity for her behaviour, in times to come, as might remove all ſuſpicions and fears? And was there not good cauſe to conclude, that no future benefits could ever obliterate the memory of paſt injuries? It was thus Elizabeth reaſoned; though ſhe continued to act as if her views had been entirely different. She appointed ſeven of her privy counſellors to be commiſſioners for ſettling the articles of the treaty; and, as Mary had already named the biſhops of Roſs and Galloway, and Lord Levingſton, for her ambaſſadors, ſhe required the regent to impower proper perſons to appear 1571. in behalf of the king. The earl of Morton, Pitcairn abbot of Dunfermling, and ſir James Macgill, were the perſons choſen by the regent. They prepared for their journey as ſlowly as Elizabeth herſelf could have wiſhed. At length they arrived at London, and met the commiſſioners of the Feb. 19. two queens. Mary's ambaſſadors diſcovered the ſtrongeſt inclination to comply with every thing that would remove the obſtacles which ſtood in the way of their miſtreſs's liberty. But when Morton and his aſſociates were called upon to vindicate their conduct, and to explain the ſentiments of their party, they began, in juſtification of their treatment of the queen, to advance ſuch maxims concerning the limited powers of princes, and the natural right of ſubjects to reſiſt and to control them, as were extremely ſhocking to Elizabeth, whoſe notions of regal prerogative, as has been formerly obſerved, were very exalted. With regard to the authority which the king now poſſeſſed, they declared that they neither had, nor could poſſibly receive inſtructions, to conſent to any treaty that tended to ſubvert, or even to impair it in the leaſt degree[o]. Nothing could be more trifling and ridiculous, than ſuch a reply from the commiſſioners of the king of Scots to the queen of England. His party depended abſolutely on her protection, her hand had

[o] Cald. ii. 234. Digges, 51. Haynes, 523, 524.

seated him on the throne, and to her power he owed the continuance of his reign. With the utmost ease she could have brought them to hold very different language; and whatever conditions she might have thought fit to prescribe, they would have had no other choice but to submit. This declaration, however, she affected to consider as an insuperable difficulty; and finding that there was no reason to dread any danger from the French king, who had not discovered that eagerness in support of Mary, which was expected, the reply made by Morton furnished her with a pretence for putting a stop to the negotiation, until the regent should send ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects who still adhered to her were exposed, without ally or protector, to the rage of enemies, whom their success in this negotiation rendered still more insolent [p].

1571.

It proves fruitless.

March 24.

On the day after the expiration of the truce, which had been observed with little exactness on either side, captain Crawford of Jordan-hill, a gallant and enterprising officer, performed a service of great importance to the regent, by surprising the castle of Dunbarton. This was the only fortified place in the kingdom, of which the queen had kept possession ever since the commencement of the civil wars. Its situation on the top of an high and almost inaccessible rock, which rises in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable; as it commanded the river Clyde it was of great consequence, and was deemed the most proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The strength of the place rendered lord Fleming, the governor, more secure than he ought to have been, considering its importance. A soldier who had served in the garrison, and had been disgusted by some ill usage, proposed the scheme to the regent, endeavoured to demonstrate that it was practicable, and offered himself to go the foremost man on the enterprise. It was thought prudent to risk any danger for so great a prize. Scaling-ladders, and whatever else might be necessary, were prepared with the utmost secrecy and dispatch. All the avenues to the castle were seized, that no intelligence of the design might reach the governor. Towards evening Crawford marched from Glasgow with a small

Dunbarton castle surprised by the regent.

[p] And. iii. 91, &c.

but

BOOK VI. 1571.

but determined band. By midnight they arrived at the bottom of the rock. The moon was ſet, and the ſky, which hitherto had been extremely clear, was covered with a thick fog. It was where the rock was higheſt that the aſſailants made their attempt, becauſe in that place there were few centinels, and they hoped to find them leaſt alert. The firſt ladder was ſcarcely fixed, when the weight and eagerneſs of thoſe who mounted, brought it to the ground. None of the aſſailants were hurt by the fall, and none of the garriſon alarmed at the noiſe. Their guide and Crawford ſcrambled up the rock, and faſtened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmoſt difficulty, but were ſtill at a great diſtance from the foot of the wall. Their ladder was made faſt a ſecond time; but in the middle of the aſcent, they met with an unforeſeen difficulty. One of their companions was ſeized with ſome ſudden fit, and clung, ſeemingly without life, to the ladder. All were at a ſtand. It was impoſſible to paſs him. To tumble him headlong was cruel; and might occaſion a diſcovery. But Crawford's preſence of mind did not forſake him. He ordered the ſoldier to be bound faſt to the ladder, that he might not fall when the fit was over; and turning the other ſide of the ladder, they mounted with theſe over his belly. Day now began to break, and there ſtill remained a high wall to ſcale; but after ſurmounting ſo many great difficulties, this was ſoon accompliſhed. A ſentry obſerved the firſt man who appeared on the parapet, and had juſt time to give the alarm, before he was knocked on the head. The officers and ſoldiers of the garriſon ran out naked, unarmed, and more ſolicitous about their own ſafety, than capable of making reſiſtance. The aſſailants ruſhed forwards, with repeated ſhouts and with the utmoſt fury; took poſſeſſion of the magazine; ſeized the cannon; and turned them againſt their enemies. Lord Fleming got into a ſmall boat, and fled all alone into Argyleſhire. Crawford, in reward of his valour and good conduct, remained maſter of the caſtle; and as he did not loſe a ſingle man in the enterpriſe, he enjoyed his ſucceſs with unmixed pleaſure. Lady Fleming, Verac the French envoy, and Hamilton archbiſhop of St. Andrew's, were the priſoners of greateſt diſtinction[q].

Archbiſhop of St. Andrew's put to death by him.

VERAC's character protected him from the uſage which he merited by his activity in ſtirring up enemies againſt the king. The regent treated the lady with great politeneſs and

[q] Buch. 394.

humanity.

humanity. But a very different fate awaited the archbiſhop; he was carried under a ſtrong guard to Stirling; and as he had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and on the fourth day after he was taken, the ſentence was executed. An attempt was made to convict him of being acceſſary to the murder both of the king and regent, but theſe accuſations were ſupported by no proof. Our hiſtorians obſerve, that he was the firſt biſhop in Scotland who died by the hands of the executioner. The high offices he had enjoyed, both in church and ſtate, ought to have exempted him from a puniſhment inflicted only on the loweſt criminals. But his zeal for the queen, his abilities, and his profeſſion, rendered him odious and formidable to the king's adherents. Lennox hated him as the perſon by whoſe counſels the reputation and power of the houſe of Hamilton were ſupported. Party rage and perſonal enmity dictated that indecent ſentence, for which ſome colour was ſought, by imputing to him ſuch odious crimes[r].

1571.

THE loſs of Dunbarton, and the ſevere treatment of the archbiſhop, perplexed no leſs than they enraged the queen's party; and hoſtilities were renewed with all the fierceneſs which diſappointment and indignation can inſpire. Kirkaldy, who, during the truce, had taken care to increaſe the number of his garriſon, and to provide every thing neceſſary for his defence, iſſued a proclamation declaring Lennox's authority to be unlawful and uſurped; commanded all who favoured his cauſe to leave the town within ſix hours; ſeized the arms belonging to the citizens; planted a battery on the ſteeple of St. Giles's, repaired the walls, and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis againſt the regent. The duke, Huntly, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers; and having received a ſmall ſum of money and ſome ammunition from France, formed no contemptible army within the walls. On the other ſide, Morton ſeized Leith and fortified it; and the regent joined him with a conſiderable body of men. While the armies lay ſo near each other, daily ſkirmiſhes happened, and with various ſucceſs. The queen's party was not ſtrong enough to take the field againſt the regent, nor was his ſuperiority ſo great as to undertake the ſiege of the caſtle or of the town[s].

Kirkaldy defends the caſtle of Edinburgh in the queen's name.

SOME time before Edinburgh fell into the hands of his enemies,

Both parties hold parliaments.

[r] Spotſw. 252. [s] Cald. ii. 233, &c.

BOOK VI.

1571. May 14.

enemies, the regent had ſummoned a parliament to meet in that place. In order to prevent any objection againſt the lawfulneſs of the meeting, the members obeyed the proclamation as exactly as poſſible; and aſſembled in a houſe at the head of the Canongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himſelf to the utmoſt to interrupt their meeting; but they were ſo ſtrongly guarded, that all efforts were vain. They paſſed an act attainting Maitland and a few others, and then adjourned to the 28th of Auguſt[t].

THE other party, in order that their proceedings might be countenanced by the ſame ſhew of legal authority, held a meeting of parliament ſoon after. There was produced in this aſſembly a declaration by the queen, of the invalidity of that deed whereby ſhe had reſigned the crown, and conſented to the coronation of her ſon. Conformable to this declaration, an act was paſſed, pronouncing the reſignation to have been extorted by fear; to be null in itſelf, and in all its conſequences; and enjoining all good ſubjects to acknowledge the queen alone to be their lawful ſovereign, and to ſupport thoſe who acted in her name. The preſent eſtabliſhment of the proteſtant religion was confirmed by another ſtatute; and, in imitation of the adverſe party, a new meeting was appointed on the 26th of Auguſt[u].

Miſerable condition of the kingdom.

MEANWHILE all the miſeries of civil war deſolated the kingdom. Fellow-citizens, friends, brothers, took different ſides, and ranged themſelves under the ſtandards of the contending factions. In every county, and almoſt in every town and village, *King's men* and *Queen's men* were names of diſtinction. Political hatred diſſolved all natural ties, and extinguiſhed the reciprocal good-will and confidence which hold mankind together in ſociety. Religious zeal mingled itſelf with theſe civil diſtinctions, and contributed not a little to heighten and to inflame them.

State of factions.

THE factions which divided the kingdom were, in appearance, only two. But in both theſe there were perſons with views and principles ſo different from each other, that they ought to be diſtinguiſhed. With ſome, conſiderations of religion were predominant, and they either adhered to the queen, becauſe they hoped by her means to re-eſtabliſh popery, or they defended the king's authority, as the beſt ſupport of the proteſtant faith. Among theſe the oppoſition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of intereſt; the

[t] Crawf. Mem. 177. [u] Id. ibid.

regent

regent aimed at uniting theſe, and did not deſpair of gaining by gentle arts many of Mary's adherents to acknowledge the king's authority. Maitland and Kirkaldy had formed the ſame deſign of a coalition, but on ſuch terms that the queen might be reſtored to ſome ſhare in the government, and the kingdom ſhake off its dependence upon England. Morton, the ableſt, the moſt ambitious, and the moſt powerful man of the king's party, held a particular courſe; and moving only as he was prompted by the court of England, thwarted every meaſure that tended towards a reconcilement of the factions; and as he ſerved Elizabeth with much fidelity, he derived both power and credit from her avowed protection. 1571.

THE time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two biſhops appeared in that which was held in the queen's name at Edinburgh. But, contemptible as their numbers were, they paſſed an act for attainting upwards of two hundred of the adverſe faction. The meeting at Stirling was numerous and ſplendid. The regent had prevailed on the earls of Argyll, Eglinton, Caſſils, and lord Boyd, to acknowledge the king's authority. The three earls were among the moſt powerful noblemen in the kingdom, and had hitherto been zealous in the queen's cauſe. Lord Boyd had been one of Mary's commiſſioners at York and Weſtminſter, and ſince that time had been admitted into all her moſt ſecret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied ſo often, that the ſenſe of honour, a chief preſervative of conſiſtence in character, was entirely loſt; and, without any regard to decorum, men ſuddenly abandoned one party, and adopted all the violent paſſions of the other. The defection, however, of ſo many perſons of diſtinction not only weakened the queen's party, but added reputation to her adverſaries.

AFTER the example of the parliament at Edinburgh, that at Stirling began with framing acts againſt the oppoſite faction. But in the midſt of all the ſecurity, which confidence in their own numbers or diſtance from danger could inſpire, they were awakened, early on the morning of September the third, by the ſhouts of the enemy in the heart of the town. In a moment the houſes of every perſon of diſtinction were ſurrounded, and before they knew what to think of ſo ſtrange an event, the regent, the Earls of Argyll, Morton, Glencairn, Caſſils, Eglinton, Montroſe, Buchan, the lords Sempil, Cathcart, Ogilvie, were all made priſoners, and

The king's party ſurpriſed in Stirling.

Sept. 3.

BOOK VI. 1571.

mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterprife; and if he had not been induced by the ill-timed ſolicitude of his friends about his ſafety, not to hazard his own perſon in conducting it, that day might have terminated the conteſt between the two factions, and have reſtored peace to his country. By his direction four hundred men, under the command of Huntly, lord Claud Hamilton, and Scott of Buccleugh, ſet out from Edinburgh, and, the better to conceal their deſign, marched towards the ſouth. But they ſoon wheeled to the right, and horſes having been provided for the infantry, rode ſtraight to Stirling. By four in the morning they arrived there; not one ſentry was poſted on the walls, not a ſingle man was awake about the place. They met with no reſiſtance from any perſon whom they attempted to ſeize, except Morton. He defending his houſe with obſtinate valour, they were obliged to ſet it on fire, and he did not ſurrender till forced out of it by the flames. In performing this, ſome time was conſumed; and the private men, unaccuſtomed to regular diſcipline, left their colours, and began to rifle the houſes and ſhops of the citizens. The noiſe and uproar in the town reached the caſtle. The earl of Mar ſallied out with thirty ſoldiers; fired briſkly upon the enemy, of whom almoſt none but the officers kept together in a body. The townſmen took arms to aſſiſt their governor; a ſudden panic ſtruck the aſſailants; ſome fled, ſome ſurrendered themſelves to their own priſoners; and had not the borderers, who followed Scott, prevented a purſuit, by carrying off all the horſes within the place, not a man would have eſcaped. If the regent had not unfortunately been killed, the loſs on the king's ſide would have been as inconſiderable as the alarm was great. *Think on the archbiſhop of St. Andrew's*, was the word among the queen's ſoldiers; and Lennox fell a ſacrifice to his memory. The officer to whom he ſurrendered, endeavouring to protect him, loſt his own life in his defence. He was ſlain, according to the general opinion, by command of lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great ſecrecy and prudence; but Morton's fortunate obſtinacy, and the want of diſcipline among his troops, deprived him of ſucceſs, the only thing wanting to render this equal to the moſt applauded military enterpriſes of the kind[t].

The regent killed.

[t] Melv. 226. Crawf. Mem. 204.

As

As so many of the nobles were assembled, they proceeded without delay to the election of a regent. Argyll, Morton, and Mar, were candidates for the office. Mar was chosen by a majority of voices. Amidst all the fierce dissensions which had prevailed so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. As his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit, too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment.

1571. Mar chosen regent, Sept. 6.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for the security of their own sovereign, but to curb the restless and intriguing spirit of the Scottish queen and her adherents [y].

Proceedings in England against Mary.

At this time a treaty of marriage between Elizabeth and the duke of Anjou, the French king's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover or to promote their particular designs. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction of the Hugonot chiefs; and by carrying on a negotiation for the marriage of her son with a princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependence of the negotiation, the French could not with decency give any open assistance to the Scottish queen; if they conceived any hopes of success in the treaty of mar-

Marriage negotiated between Elizabeth and the duke of Anjou.

[y] Camb. 436.

1571.

riage, they would of courſe intereſt themſelves but coldly in her concerns: Mary herſelf muſt be dejected at loſing an ally, whom ſhe had hitherto reckoned her moſt powerful protector; and by interrupting her correſpondence with France, one ſource, at leaſt, of the cabals and intrigues which diſturbed the kingdom would be ſtopt. Both queens ſucceeded in their ſchemes. Catherine's artifices impoſed on Elizabeth, and blinded the Hugonots. The French diſcovered the utmoſt indifference about the intereſt of the Scottiſh queen; and Mary, conſidering that court as already united with her rival, turned for protection with more eagerneſs than ever towards the king of Spain [z]. Philip, whoſe dark and thoughtful mind delighted in the myſtery of intrigue, had held a ſecret correſpondence with Mary for ſome time, by means of the biſhop of Roſs, and had ſupplied both herſelf and her adherents in Scotland with ſmall ſums of money. Ridolphi, a Florentine gentleman, who reſided at London under the character of a banker, and who acted privately as an agent for the pope, was the perſon whom the biſhop intruſted with this negotiation. Mary thought it neceſſary likewiſe to communicate the ſecret to the duke of Norfolk, whom Elizabeth had lately reſtored to liberty, upon his ſolemn promiſe to have no further intercourſe with the queen of Scots. This promiſe, however, he regarded ſo little, that he continued to keep a conſtant correſpondence with the captive queen; while ſhe laboured to nouriſh his ambitious hopes, and to ſtrengthen his amorous attachment by letters written in the fondeſt careſſing ſtrain. Some of theſe he muſt have received at the very time when he made that ſolemn promiſe of holding no further intercourſe with her, in conſequence of which Elizabeth reſtored him to liberty. Mary, ſtill conſidering him as her future huſband, took no ſtep in any matter of moment without his advice. She early communicated to him her negotiations with Ridolphi; and in a long letter, which ſhe wrote to him in cyphers [a], after complaining of the baſeneſs with which the French court had abandoned her intereſt, ſhe declared her intention of imploring the aſſiſtance of the Spaniſh monarch, which was now her only reſource; and recommended Ridolphi to his confidence, as a perſon capable both of explaining and advancing the ſcheme. The duke commanded Hickford, his ſecretary, to decypher, and then to burn this letter; but whether he had been already

Norfolk's conſpiracy in favour of Mary;

[z] Digges, 144. 148. Camb. 434.

[a] Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges Compleat Ambaſ. 147.

gained by the court, or reſolved at that time to betray his maſter, he diſobeyed the latter part of the order, and hid the letter, together with other treaſonable papers, under the duke's own bed. 1571.

RIDOLPHI, in a conference with Norfolk, omitted none of thoſe arguments, and ſpared none of thoſe promiſes, which are the uſual incentives to rebellion. The pope, he told him, had a great ſum in readineſs to beſtow in ſo good a cauſe. The duke of Alva had undertaken to land ten thouſand men not far from London. The catholics to a man would riſe in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half the nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himſelf had ſuffered, and to reſcue an unfortunate queen, who offered him her hand and her crown, as the reward of his ſucceſs. Norfolk approved of the deſign, and though he refuſed to give Ridolphi any letter of credit, allowed him to uſe his name in negotiating with the pope and Alva [b]. The biſhop of Roſs, who, from the violence of his temper, and impatience to procure relief for his miſtreſs, was apt to run into raſh and deſperate deſigns, adviſed the duke to aſſemble ſecretly a few of his followers, and at once to ſeize Elizabeth's perſon. But this the duke rejected as a ſcheme equally wild and hazardous. Meanwhile, the Engliſh court had received ſome imperfect information of the plot, by intercepting one of Ridolphi's agents; and an accident happened, which brought to light all the circumſtances of it. The duke had employed Hickford to tranſmit to lord Herries ſome money, which was to be diſtributed among Mary's friends in Scotland. A perſon not in the ſecret was intruſted with conveying it to the borders, and he, ſuſpecting it from the weight to be gold, whereas he had been told that it was ſilver, carried it directly to the privy council. The duke, his domeſtics, and all who were privy, or could be ſuſpected of being privy, to the deſign, were taken into cuſtody. Never did the accomplices in a conſpiracy diſcover leſs firmneſs, or ſervants betray an indulgent maſter with greater baſeneſs. Every one confeſſed the whole of what he knew. Hickford gave directions how to find the papers which he had hidden. The duke himſelf, relying at firſt on the fidelity of his aſſociates, and believing all dangerous papers to have been deſtroyed, confidently aſſerted his own innocence; but when their depoſitions and the papers them-

diſcovered by Elizabeth. Auguſt.

Sept. 7.

[b] Anderſ. iii. 161.

BOOK VI. 1571.

ſelves were produced, aſtoniſhed at their treachery, he acknowledged his guilt, and implored the queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it neceſſary to deter her ſubjects, by his puniſhment, from holding correſpondence with the queen of Scots, or her emiſſaries. Being tried by his peers, he was found guilty of high treaſon, and, after ſeveral delays, ſuffered death for the crime[c].

THE diſcovery of this conſpiracy produced many effects extremely detrimental to Mary's intereſt. The biſhop of Roſs, who appeared, by the confeſſion of all concerned, to be the prime mover in every cabal againſt Elizabeth, was taken into cuſtody, his papers ſearched, himſelf committed to the Tower, treated with the utmoſt rigour, threatened with capital puniſhment, and, after a long confinement, ſet at liberty, on condition that he ſhould leave the kingdom. Mary was not only deprived of a ſervant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambaſſador at the Engliſh court. The Spaniſh ambaſſador, whom the power and dignity of the prince he repreſented exempted from ſuch inſults as Roſs had ſuffered, was commanded to leave England[d]. As there was now the cleareſt evidence that Mary, from reſentment of the wrongs ſhe had ſuffered, and impatience of the captivity in which ſhe was held, would not ſcruple to engage in the moſt hoſtile and deſperate enterpriſes againſt the eſtabliſhed government and religion, ſhe began to be regarded as a public enemy, and was kept under a ſtricter guard than formerly, the number of her domeſtics abridged, and no perſon permitted to ſee her, but in preſence of her keepers[e].

Elizabeth declares openly againſt the queen's party.

Oct. 23.

AT the ſame time, Elizabeth, foreſeeing the ſtorm which was gathering on the continent againſt her kingdom, began to wiſh that tranquillity were reſtored in Scotland; and irritated by Mary's late attempt againſt her government, ſhe determined to act, without diſguiſe or ambiguity, in favour of the king's party. This reſolution ſhe intimated to the leaders of both factions. Mary, ſhe told them, had held ſuch a criminal correſpondence with her avowed enemies, and had excited ſuch dangerous conſpiracies both againſt her crown and her life, that ſhe would henceforth conſider her as unworthy of protection, and would never conſent to reſtore her to liberty, far leſs to replace her on her throne. She exhorted them, therefore, to unite in acknowledging

[c] Anderſ. iii. 149. State Trials, 185. [d] Digges, 163.
[e] Strype, Ann. ii. 50.

the

the king's authority. She promiſed to procure by her mediation equitable terms for thoſe who had hitherto oppoſed it. But if they ſtill continued refractory, ſhe threatened to employ her utmoſt power to compel them to ſubmit. Though this declaration did not produce an immediate effect; though hoſtilities continued in the neighbourhood of Edinburgh; though Huntly's brother, ſir Adam Gordon, by his bravery and good conduct, had routed the king's adherents in the North in many encounters; yet ſuch an explicit diſcovery of Elizabeth's ſentiments contributed not a little to animate one party, and to depreſs the ſpirit and hopes of the other [f].

BOOK VI. 1572.

As Morton, who commanded the regent's forces, lay at Leith, and Kirkaldy ſtill held out the town and caſtle of Edinburgh, ſcarce a day paſſed without a ſkirmiſh; and while both avoided any deciſive action, they haraſſed each other by attacking ſmall parties, beating up quarters, and intercepting convoys. Theſe operations, though little memorable in themſelves, kept the paſſions of both factions in perpetual exerciſe and agitation, and wrought them up, at laſt, to a degree of fury, which rendered them regardleſs not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the priſoners they took, of whatever rank or quality, without mercy, and without trial. Great numbers ſuffered in this ſhocking manner; and the unhappy victims were led, by fifties at a time, to execution; and it was not till both ſides had ſmarted ſeverely, that they diſcontinued this barbarous practice, ſo reproachful to the character of the nation [g]. Meanwhile, thoſe in the town and caſtle, though they had received a ſupply of money from the duke of Alva [h], began to ſuffer for want of proviſions. As Morton had deſtroyed all the mills in the neighbourhood of the city, and had planted ſmall garriſons in all the houſes of ſtrength around it, ſcarcity daily increaſed. At laſt all the miſeries of famine were felt, and they muſt have been ſoon reduced to ſuch extremities, as would have forced them to capitulate, if the Engliſh and French ambaſſadors had not procured a ſuſpenſion of hoſtilities between the two parties [i].

1572. Hoſtilities carried on between them.

THOUGH the negotiation for a marriage between Elizabeth and the duke of Anjou had been fruitleſs, both Charles and he were deſirous of concluding a defenſive alliance between the two crowns. He conſidered ſuch a treaty, not only as

League between England and France.

[f] See Append. No. IV.
[g] Cald. ii. 289. 294. Stype, ii. 76.
[h] Craw. Mem. 218. 220.
[i] Cald. ii. 345. Ibid. 346.

BOOK VI. 1572.

the beſt advice for blinding the proteſtants, againſt whom the conſpiracy was now almoſt ripe for execution; but as a good precaution, likewiſe, againſt the dangerous conſequences to which that atrocious meaſure might expoſe him. Elizabeth, who had hitherto reigned without a ſingle ally, now ſaw her kingdom ſo threatened with inteſtine commotions, or expoſed to invaſions from abroad, that ſhe was extremely ſolicitous to ſecure the aſſiſtance of ſo powerful a neighbour. The difficulties ariſing from the ſituation of the Scottiſh queen were the chief occaſions of any delay. Charles demanded ſome terms of advantage for Mary and her party. Elizabeth refuſed to liſten to any propoſition of that kind. Her obſtinacy overcame the faint efforts of the French monarch. Mary's name was not ſo much as mentioned in the treaty; and with regard to Scottiſh affairs, a ſhort article was inſerted, in general and ambiguous terms, to this purpoſe: "That the parties contracting ſhall make no innovations in Scotland; nor ſuffer any ſtranger to enter, and to foment the factions there; but it ſhall be lawful for the queen of England to chaſtiſe, by force of arms, thoſe Scots who ſhall continue to harbour the Engliſh rebels now in Scotland[l]." In conſequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc and ſir William Drury appeared there, in the name of their reſpective ſovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the oppoſite factions, in order to accommodate their differences and reſtore peace to the kingdom. This truce afforded a ſeaſonable interval of tranquillity to the queen's adherents in the South: but in the North it proved fatal to her intereſt. Sir Adam Gordon had ſtill maintained his reputation and ſuperiority there. Several parties, under different officers, were ſent againſt him. Some of them he attacked in the field; againſt others he employed ſtratagem; and as his courage and conduct were equal, none of his enterpriſes failed of ſucceſs. He made war too with the humanity which became ſo gallant a man, and gained ground by that, no leſs than by the terror of his arms. If he had not been obliged by the truce to ſuſpend his operations, he would in all probability have brought that part of the kingdom to ſubmit entirely to the queen's authority[m].

April 11.

Proceedings in England againſt Mary.

NOTWITHSTANDING Gordon's bravery and ſucceſs, Mary's intereſt was on the decline, not only in her own kingdom,

[l] Digges, 170. 191. Camd. 444. [m] Crawf. Mem.

but

but among the English. Nothing could be more offenſive to that nation, jealous of foreigners, and terrified at the proſpect of the Spaniſh yoke, than her negotiations with the duke of Alva. The parliament, which met in May, proceeded againſt her as the moſt dangerous enemy of the kingdom; and after a ſolemn conference between the lords and commons, both houſes agreed in bringing in a bill to declare her guilty of high treaſon, and to deprive her of all right of ſucceſſion to the crown. This *great cauſe*, as it was then called, occupied them during the whole ſeſſion, and was carried on with much unanimity. Elizabeth, though ſhe applauded their zeal, and approved greatly of the courſe they were taking, was ſatisfied with ſhewing Mary what ſhe might expect from the reſentment of the nation; but as ſhe did not yet think it time to proceed to the moſt violent extremity againſt her, ſhe prorogued the parliament[n].

1572.

THESE ſevere proceedings of the Engliſh parliament were not more mortifying to Mary, than the coldneſs and neglect of her allies the French. The duke of Montmorency, indeed, who came over to ratify the league with Elizabeth, made a ſhew of intereſting himſelf in favour of the Scottiſh queen; but, inſtead of ſoliciting for her liberty, or her reſtoration to her throne, all that he demanded was a ſlight mitigation of the rigour of her impriſonment. Even this ſmall requeſt he urged with ſo little warmth or opportunity, that no regard was paid to it[o].

The French neglect her intereſt.

THE alliance with France afforded Elizabeth much ſatisfaction, and ſhe expected from it a great increaſe of ſecurity. She now turned her whole attention towards Scotland, where the animoſities of the two factions were ſtill ſo high, and ſo many interfering intereſts to be adjuſted, that a general pacification ſeemed to be at a great diſtance. But while ſhe laboured to bring them to ſome agreement, an event happened which filled a great part of Europe with aſtoniſhment and with horror. This was the maſſacre of Paris; an attempt, to which there is no parallel in the hiſtory of mankind, either for the long train of craft and diſſimulation with which it was contrived, or for the cruelty and barbarity with which it was carried into execution. By the moſt ſolemn promiſes of ſafety and of favour, the leaders of the proteſtants were drawn to court; and though doomed to deſtruction, they were received with careſſes, loaded with honours, and treated, for ſeven months, with every poſſible mark of familiarity and of confidence. In the midſt of their

The maſſacre of Paris.

Auguſt 24.

[n] D'Ewes, Journ. 206, &c. [o] Jebb, ii. 512.

ſecurity,

BOOK VI. 1572.

ſecurity, the warrant for their deſtruction was iſſued by their ſovereign, on whoſe word they had relied; and, in obedience to it, their countrymen, their fellow-citizens, and companions, imbrued their hands in their blood. Ten thouſand proteſtants, without diſtinction of age, or ſex, or condition, were murdered in Paris alone. The ſame barbarous orders were ſent to other parts of the kingdom, and a like carnage enſued. This deed, which no popiſh writer, in the preſent age, mentions without deteſtation, was at that time applauded in Spain; and at Rome ſolemn thankſgivings were offered to God for its ſucceſs. But among the proteſtants, it excited incredible horror; a ſtriking picture of which is drawn by the French ambaſſador at the court of England, in his account of his firſt audience after the maſſacre. "A gloomy ſorrow," ſays he, "ſat on every face; ſilence, as in the dead of night, reigned through all the chambers of the royal apartment; the ladies and courtiers were ranged on each ſide, all clad in deep mourning, and as I paſſed through them, not one beſtowed on me a civil look, or made the leaſt return to my ſalutes [p]."

Detrimental to Mary's intereſt.

BUT horror was not the only paſſion with which this event inſpired the proteſtants; it filled them with fear. They conſidered it as the prelude to ſome greater blow, and believed, not without much probability, that all the popiſh princes had conſpired the deſtruction of their ſect. This opinion was of no ſmall diſſervice to Mary's affairs in Scotland. Many of her adherents were proteſtants; and, though they wiſhed her reſtoration, were not willing, on that account, to ſacrifice the faith which they profeſſed. They dreaded her attachment to a religion which allowed its votaries to violate the moſt ſolemn engagements, and prompted them to perpetuate the moſt barbarous crimes. A general confederacy of the proteſtants ſeemed to them the only thing that could uphold the Reformation againſt the league which was formed to overturn it. Nor could the preſent eſtabliſhment of religion be long maintained in Britain, but by a ſtrict union with Elizabeth, and by the concurrence of both nations, in eſpouſing the defence of it, as a common cauſe [q].

ENCOURAGED by this general diſpoſition to place confidence in her, Elizabeth reſumed a ſcheme which ſhe had formed during the regency of the earl of Murray, of ſending Mary as a priſoner into Scotland. But her ſentiments and ſituation were now very different from what they had been during her negotiation with Murray. Her animoſity

[p] Carte, iii. 522. [q] Digges, 244. 267.

against the queen of Scots was greatly augmented, by recent experience of her inclination, as well as power, not only to disturb the tranquillity of her reign, but to wreſt from her the crown; the party in Scotland favourable to Mary was almoſt entirely broken; and there was no reaſon to dread any danger from France, which ſtill continued to court her friendſhip. She aimed, accordingly, at ſomething very different from that which ſhe had in view three years before. Then ſhe diſcovered a laudable ſolicitude, not only for the ſafety of Mary's life, but for ſecuring to her treatment ſuited to her rank. Now ſhe required, as an expreſs condition, that, immediately after Mary's arrival in Scotland, ſhe ſhould be brought to public trial; and having no doubt that ſentence would be paſſed according to her deſerts, ſhe inſiſted that, for the good of both kingdoms, it ſhould be executed without delay. No tranſaction, perhaps, in Elizabeth's reign, merits more ſevere cenſure. Eager to cut ſhort the days of a rival, the object both of her hatred and dread, and no leſs anxious to avoid the blame to which ſuch a deed of violence might expoſe her, ſhe laboured, with timid and ungenerous artifice, to tranſfer the odium of it from herſelf to Mary's own ſubjects. The earl of Mar, happily for the honour of his country, had more virtue than to liſten to ſuch an ignominious propoſal; and Elizabeth did not venture to renew it.

BOOK VI. 1572.

WHILE ſhe was engaged in purſuing this inſidious meaſure, the regent was more honourably employed in endeavouring to negotiate a general peace among his countrymen. As he laboured for this purpoſe with the utmoſt zeal, and the adverſe faction placed entire confidence in his integrity, his endeavours could hardly have failed of being ſucceſsful. Maitland and Kirkaldy came ſo near to an agreement with him, that ſcarce any thing remained, except the formality of ſigning the treaty. But Morton had not forgotten the diſappointment he met with in his pretenſions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater ſway with the party, than even the regent himſelf; and he took pleaſure in thwarting every meaſure purſued by him. He was afraid that, if Maitland and his aſſociates recovered any ſhare in the adminiſtration, his own influence would be conſiderably diminiſhed; and the regent, by their means, would regain that aſcendant which belonged to his ſtation. With him concurred all thoſe who were in poſſeſſion of the lands which belonged to any of the queen's party. His ambition, and their avarice, fruſtrated

The regent endeavours to unite both parties.

[f] Murdin, 224.

the

BOOK VI. 1572.

the regent's pious intentions, and retarded a bleſſing ſo neceſſary to the kingdom, as the eſtabliſhment of peace[s].

SUCH a diſcovery of the ſelfiſhneſs and ambition which reigned among his party, made a deep impreſſion on the regent, who loved his country, and wiſhed for peace with much ardour. This inward grief broke his ſpirit, and by degrees brought on a ſettled melancholy, that ended in a diſtemper, of which he died on the twenty-ninth of October. He was, perhaps, the only perſon in the kingdom who could have enjoyed the office of regent without envy, and have left it without loſs of reputation. Notwithſtanding their mutual animoſities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted[t].

His death.

No competitor now appeared againſt Morton. The queen of England powerfully ſupported his claim, and notwithſtanding the fears of the people, and the jealouſy of the nobles, he was elected regent; the fourth who, in the ſpace of five years, had held that dangerous office.

Morton choſen regent. November.

As the truce had been prolonged to the firſt of January, this gave him an opportunity of continuing the negotiations with the oppoſite party, which had been ſet on foot by his predeceſſor. They produced no effects, however, till the beginning of the next year.

BEFORE we proceed to theſe, ſome events, hitherto untouched, deſerve our notice.

THE earl of Northumberland, who had been kept priſoner in Lochlevin ever ſince his flight into Scotland in the year one thouſand five hundred and ſixty-nine, was given up to lord Hunſdon, governor of Berwick; and being carried to York, ſuffered there the puniſhment of his rebellion. The king's party were ſo ſenſible of their dependence on Elizabeth's protection, that it was ſcarcely poſſible for them to refuſe putting into her hands a perſon who had taken up arms againſt her; but as a ſum of money was paid on that account, and ſhared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendſhip, the abandoning this unhappy nobleman, in ſuch a manner, to certain deſtruction, was univerſally condemned as a moſt ungrateful and mercenary action[u].

Affairs of the church.

THIS year was remarkable for a conſiderable innovation in the government of the church. Soon after the Reformation, the popiſh biſhops had been confirmed by law in poſſeſſion of part of their benefices; but the ſpiritual juriſdiction, which belonged to their order, was exerciſed by ſuperintendants,

[s] Melv. 233. Crawf. Mem. 237. [t] Crawf. Mem. 241.
[u] Crawf. Mem. 55 222. Camd. 445.

though

though with more moderate authority. On the death of the archbishop of St. Andrew's, Morton obtained from the crown a grant of the temporalities of that see. But as it was thought indecent for a layman to hold a benefice to which the cure of souls was annexed, he procured Douglas, rector of the university of St. Andrew's, to be chosen archbishop; and, allotting him a small pension out of the revenues of the see, retained the remainder in his own hands. The nobles, who saw the advantages they might reap from such a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who, instead of perpetuating an order whose name and power was odious to them, wished that the revenues which had belonged to it might be employed in supplying such parishes as were still unprovided with settled pastors. But, on the one hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the protestant church in Scotland depended; and Morton, on the other, conducted his scheme with such dexterity, and managed them with so much art, that it was at last agreed, in a convention composed of the leading men among the clergy, together with a committee of privy council, "That the name and office of archbishop and bishop should be continued during the king's minority, and these dignities be conferred upon the best qualified among the protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the general assembly of the church." The rules to be observed in their election, and the persons who were to supply the place, and enjoy the privileges which belonged to the dean and chapter in times of popery, were likewise particularly specified [z]. The whole being laid before the general assembly, after some exceptions to the name of *archbishop*, *dean*, *chapter*, &c. and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that court [a]. Even Knox, who was prevented from attending the assembly by the ill state of his health, though he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, seems not to have condemned the proceedings of the convention; and, in a letter to the assembly, approved of some of their regulations with respect to the election of bishops, as worthy of being carefully observed.

BOOK VI. 1572.

[z] Cald. ii. 305. [a] Id. 354.

BOOK VIII. 1572.

ſerved [a]. In conſequence of the aſſembly's conſent to the plan agreed upon in the convention, Douglas was inſtalled in his office, and at the ſame time an archbiſhop of Glaſgow, and a biſhop of Dunkeld, were choſen from among the proteſtant clergy. They were all admitted to the place in parliament, which belonged to the eccleſiaſtical order. But, in imitation of the example ſet by Morton, ſuch bargains were made with them by different noblemen, as gave them poſſeſſion only of a very ſmall part of the revenues belonging to their ſees [a].

Nov. 27. Death and character of Knox.

SOON after the diſſolution of this aſſembly, Knox, the prime inſtrument of ſpreading and eſtabliſhing the reformed religion in Scotland, ended his life, in the ſixty-ſeventh year of his age. Zeal, intrepidity, diſintereſtedneſs, were virtues which he poſſeſſed in an eminent degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that ſpecies of eloquence which is calculated to rouſe and to inflame [b]. His maxims, however, were often too ſevere, and the impetuoſity of his temper exceſſive. Rigid and uncomplying himſelf, he ſhewed no indulgence to the infirmities of others. Regardleſs of the diſtinctions of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expreſſions with reſpect to the queen's perſon and conduct. Thoſe very qualities, however, which now render his character leſs amiable, fitted him to be the inſtrument of Providence for advancing the

[a] See Appendix, No. V. [a] Spotſ. 261.

[b] A ſtriking deſcription of that ſpecies of eloquence for which Knox was diſtinguiſhed, is given by one of his contemporaries, Mr. James Melville, miniſter of Anſtruther. "But of all the benefites I had that year [1571], was the coming of that moſt notible Prophet and Apoſtle of our nation, Mr. John Knox, to St. Andrews, who, by the faction of the queen occupying the caſtle and town of Edinburgh, was compelled to remove thereſra with a number of the beſt, and chuſed to come to St. Andrews. I heard him teach there the prophecies of Daniel that ſummer and the winter following. I had my pen and little buik, and took away ſic things as I could comprehend. In the opening of his text, he was moderate the ſpace of half an hour; but when he entered to application, he made me ſo to *grue* [thrill] and tremble that I could not hald the pen to write.——He was very weak. I ſaw him every day of his doctrine go *halie* [ſlowly] and fair, with a furring of marticke about his neck, a ſtaff in the one hand, and good godlie Richart Ballanden holding him up by the oxter [under the arm], from the abbey to the parish kirk; and he the ſaid Richart and another ſervant lifted him up to the pulpit, where he behoved to lean at his firſt entrie; but e'te he was done with his ſermon, he was ſo active and vigorous, that he was like to *ding the pulpit in blads* [beat the pulpit to pieces], and fly out of it." MS. Life of Mr. James Melville, belonging to Mr. Paton of the Cuſtom-houſe, Edinburgh, p. 14. 21.

Reformation

Reformation among a fierce people, and enabled him to face dangers, and to ſurmount oppoſition, from which a perſon of a more gentle ſpirit would have been apt to ſhrink back. By an unwearied application to ſtudy and to buſineſs, as well as by the frequency and fervour of his public diſcourſes, he had worn out a conſtitution naturally robuſt. During a lingering illneſs he diſcovered the utmoſt fortitude; and met the approaches of death with a magnanimity inſeparable from his character. He was conſtantly employed in acts of devotion, and comforted himſelf with thoſe proſpects of immortality which not only preſerve good men from deſponding, but fill them with exultation in their laſt moments. The earl of Morton, who was preſent at his funeral, pronounced his eulogium in a few words, the more honourable for Knox as they came from one whom he had often cenſured with peculiar ſeverity: "There lies He, who never feared the face of man[b]."

1572.

THOUGH Morton did not deſire peace from ſuch generous motives as the former regent, he laboured, however, in good earneſt, to eſtabliſh it. The public confuſions and calamities, to which he owed his power and importance when he was only the ſecond perſon in the nation, were extremely detrimental to him, now that he was raiſed to be the firſt. While ſo many of the nobles continued in arms againſt him, his authority as regent was partial, feeble, and precarious. Elizabeth was no leſs deſirous of extinguiſhing the flame which ſhe had kindled and kept ſo long alive in Scotland[c]. She had diſcovered the alliance with France, from which ſhe had expected ſuch advantages, to be no foundation of ſecurity. Though appearances of friendſhip ſtill ſubſiſted between her and that court, and Charles daily renewed his proteſtations of inviolable adherence to the treaty, ſhe was convinced, by a fatal example, how little ſhe ought to rely on the promiſes or oaths of that perfidious monarch. Her ambaſſador warned her that the French held ſecret correſpondence with Mary's adherents in Scotland, and encouraged them in their obſtinacy[d]. The duke of Alva carried on his intrigues in that kingdom with leſs diſguiſe. She was perſuaded that they would embrace the firſt ſerene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She reſolved, therefore, to prevent their getting any footing

1573. The regent treats with the queen's party.

[b] Spotſ. 266. Cald. ii. 273. [c] Digges, 299. [d] Id. 296. 312.

in

BOOK VI.

1573.

His overtures rejected by Maitland and Kirkaldy.

in the island, and to cut off all their hopes of finding any assistance there by uniting the two parties.

The situation of Mary's adherents enabled the regent to carry on his negotiations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former considerable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their possession. The regent had no intention to comprehend both in the same treaty; but as he dreaded that the queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and weaken it, by a separate negotiation. He made the first overture to Kirkaldy and his associates, and endeavoured to renew the negotiation with them, which, during the life of his predecessor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and system of government, to be very different from those of the former regent. Maitland considered him as a personal and implacable enemy. They received repeated assurances of protection from France; and though the siege of Rochelle employed the French arms at that time, the same hopes, which had so often deceived the party, still amused them, and they expected that the obstinacy of the hugonots would soon be subdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile, a supply of money was sent, and if the castle could be held out till Whitsunday, effectual aid was promised[a]. Maitland's genius delighted in forming schemes that were dangerous; and Kirkaldy possessed the intrepidity necessary for putting them in execution. The castle, they knew, was so situated, that it might defy all the regent's power. Elizabeth, they hoped, would not violate the treaty with France, by sending forces to his assistance; and if the French should be able to land any considerable body of men, it might be possible to deliver the queen from captivity, or at least to balance the influence of France and England in such a manner, as to rescue Scotland from the dishonourable dependance upon the latter, under which it had fallen. This splendid but chimerical project they preferred to the

[a] Digg. 314.

friendship

friendſhip of Morton. They encouraged the negotiation, however, becauſe it ſerved to gain time; they propoſed, for the ſame purpoſe, that the whole of the queen's party ſhould be comprehended in it, and that Kirkaldy ſhould retain the command of the caſtle ſix months after the treaty was ſigned. His intereſt prompted the regent to reject the former; his penetration diſcovered the danger of complying with the latter; and all hopes of accommodation vaniſhed [f].

BOOK VI. 1573.

As ſoon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealouſly as ever to the king's cauſe. But as the regent had now ſet on foot a treaty with Chatelherault and Huntly, the ceſſation of arms ſtill continued with them.

Accepted by Chatelherault and Huntly.

They were leſs ſcrupulous than the other party, and liſtened eagerly to his overtures. The duke was naturally unſteady, and the approach of old age increaſed his irreſolution, and averſion to action. The miſeries of civil diſcord had afflicted Scotland almoſt five years, a length of time far beyond the duration of any former conteſt. The war, inſtead of doing ſervice, had been detrimental to the queen; and more ruinous than any foreign invaſion to the kingdom. In proſecuting it, neither party had gained much honour; both had ſuffered great loſſes; and had exhauſted their own eſtates, in waſting thoſe of their adverſaries. The commons were in the utmoſt miſery, and longed ardently for a peace, which might terminate this fruitleſs but deſtructive quarrel.

Articles of the treaty. Feb. 23.

A great ſtep was taken towards this deſirable event, by the treaty concluded at Perth, between the regent, on one hand, and Chatelherault and Huntly on the other, under the mediation of Killegrew, Elizabeth's ambaſſador [g]. The chief articles in it were theſe; that all the parties comprehended in the treaty ſhould declare their approbation of the reformed religion, now eſtabliſhed in the kingdom; that they ſhould ſubmit to the king's government, and own Morton's authority as regent; that they ſhould acknowledge every thing done in oppoſition to the king, ſince his coronation, to be illegal; that on both ſides the priſoners who had been taken ſhould be ſet at liberty, and the eſtates which had been forfeited ſhould be reſtored to their proper owners; that the act of attainder paſſed againſt the queen's adherents ſhould be repealed, and indemnity granted for all the crimes of which they had been guilty ſince the fifteenth of June one

[f] Melv. 235, &c. [g] See Append. No. VI.

BOOK VI.

thouſand five hundred and ſixty-ſeven; and that the treaty ſhould be ratified by the common conſent of both parties in parliament [h].

1573. Siege of the caſtle of Edinburgh.

KIRKALDY, though abandoned by his aſſociates, who neither diſcovered ſolicitude nor made proviſion for his ſafety, did not loſe courage, nor entertain any thoughts of accommodation [i]. Though all Scotland had now ſubmitted to the king, he ſtill reſolved to defend the caſtle in the queen's name, and to wait the arrival of the promiſed ſuccours. The regent was in want of every thing neceſſary for carrying on a ſiege. But Elizabeth, who determined at any rate to bring the diſſenſions in Scotland to a period, before the French could find leiſure to take part in the quarrel, ſoon afforded him ſufficient ſupplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a conſiderable
April 25. train of artillery. The regent joined him with all his forces; and trenches were opened, and approaches regularly carried on againſt the caſtle. Kirkaldy, though diſcouraged by the loſs of a great ſum of money, remitted to him from France, and which fell into the regent's hands through the treachery of Sir James Balfour, the moſt corrupt man of that age, defended himſelf with bravery, augmented by deſpair. Three-and-thirty days he reſiſted all the efforts of the Scotch and Engliſh, who puſhed on their attacks with courage, and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the caſtle dried up, and the other choaked with rubbiſh. Even then, his ſpirit was unſubdued, and he determined rather to fall glorioufly behind the laſt intrenchment, than to yield to his inveterate enemies. But his garriſon was not animated with the ſame heroic or deſperate reſolution, and, riſing in
May 29. a mutiny, forced him to capitulate. He ſurrendered himſelf to Drury, who promiſed, in the name of his miſtreſs, that he ſhould be favourably treated. Together with him, James Kirkaldy his brother, lord Home, Maitland, ſir Robert

[h] Crawf. Mem. 252.

[i] Melvil, whoſe brother, ſir Robert, was one of thoſe who joined with Kirkaldy in the defence of the caſtle, and who was himſelf ſtrongly attached to their party, aſſerts that Kirkaldy offered to accept of any reaſonable terms of compoſition, but that all his offers were rejected by the regent. Melv. 240. But as Elizabeth was at that time, extremely deſirous of reſtoring peace in Scotland, and her ambaſſador Killegrew, as well as the earl of Rothes, uſed their utmoſt endeavours to perſuade Kirkaldy to accede to the treaty of Perth, it ſeems more credible to impute the continuance of hoſtilities to Kirkaldy's obſtinacy, his diſtruſt of Morton, or his hope of foreign aid, than to any other cauſe.

That this was really the caſe is evident from the poſitive teſtimony of Spotſw. 269, 270. Camd. 448. Johnſt. Hiſt. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

bert

bert Melvil, a few citizens of Edinburgh, and about one hundred and ſixty ſoldiers, were made priſoners[k].

SEVERAL of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-countries, and entering into the ſervice of the States, added, by their gallant behaviour, to the reputation for military virtue, which has always been the characteriſtic of the Scottiſh nation.

THUS by the treaty with Chatelherault and Huntly, and the ſurrender of the caſtle, the civil wars in Scotland were brought to a period. When we review the ſtate of the nation, and compare the ſtrength of the two factions, Mary's partiſans among the nobles appear, manifeſtly, to have been ſuperior both in numbers and in power. But theſe advantages were more than counterbalanced by others, which their antagoniſts enjoyed. Political abilities, military ſkill, and all the talents which times of action form, or call forth, appeared chiefly on the king's ſide. Nor could their enemies boaſt of any man, who equalled the intrepidity of Murray, tempered with wiſdom; the profound ſagacity of Morton; the ſubtle genius, and inſinuating addreſs, of Maitland; or the ſucceſsful valour of Kirkaldy; all of which were, at firſt, employed in laying the foundations of the king's authority. On the one ſide, meaſures were concerted with prudence, and executed with vigour; on the other, their reſolutions were raſh, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation againſt the queen, warmly ſupported the king's cauſe. The clergy threw the whole weight of their popularity into the ſame ſcale. By means of theſe, as well as by the powerful interpoſition of England, the king's government was finally eſtabliſhed. Mary loſt even that ſhadow of ſovereignty, which, amidſt all her ſufferings, ſhe had hitherto retained among part of her own ſubjects. As ſhe was no longer permitted to have an ambaſſador at the court of England, the only mark of dignity which ſhe had, for ſome time, enjoyed there, ſhe muſt henceforth be conſidered as an exile ſtripped of all the enſigns of royalty; guarded with anxiety in the one kingdom, and totally deſerted or forgotten in the other.

Review of the character of both parties.

KIRKALDY and his aſſociates remained in Drury's cuſtody, and were treated by him with great humanity, until the queen of England, whoſe priſoners they were, ſhould determine their fate. Morton inſiſted that they ſhould ſuffer the

Kirkaldy put to death.

[k] Cald. ii. 408. Melv. 140. Crawf. Mem. 265.

BOOK VI. 1573.

punishment due to their rebellion and obstinacy; and declared that, so long as they were allowed to live, he did not reckon his own person or authority secure; and Elizabeth, without regarding Drury's honour, or his promises in her name, gave them up to the regent's disposal. He first confined them to separate prisons; and soon after, with Elizabeth's consent, condemned Kirkaldy, and his brother, to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution, by a voluntary death, and "ended his days," says Melvil, "after the old Roman "fashion[l]."

August 3.

While the regent was wreaking his vengeance on the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the solitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambassador, lord Shrewsbury, her keeper, was permitted to carry her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who lately had been created baron of Burleigh, and lord high treasurer of England, happened to be there at the same time. Though no minister ever entered more warmly into the views of a sovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet such was Elizabeth's distrust of every person who approached the queen of Scots, that her suspicions, in consequence of this interview, seem to have extended even to him; and, while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy queen[m].

The duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which, Spain exhausted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a less enterprising genius. This event delivered Elizabeth from the perpetual disquietude, occasioned by Alva's negotiations with the Scottish queen, and his zeal for her interest.

1574. The regent's administration becomes odious.

Though the kingdom was now settled in profound peace, many of the evils which accompany civil war were still felt. The restraints of law, which, in times of public confusion, are little regarded even by civilized nations, were totally

[l] Melv. 242. [m] Strype, ii. 248. 288.

despised

despised by a fierce people, unaccustomed to a regular administration of justice. The disorders in every corner of the kingdom were become intolerable; and, under the protection of the one or the other faction, crimes of every kind were committed with impunity. The regent set himself to redress these, and by his industry and vigour, order and security were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he restrained[n]. Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives, by the payment of exorbitant fines. At the same time the current coin was debased[o]; licences were sold for carrying on prohibited branches of commerce; unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the clergy received their subsistence, had always been slowly and irregularly paid to collectors appointed by the general assembly; and, during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance, and upon a promise of assigning every minister a stipend within his own parish, the regent extorted from the church the thirds to which they had right by law. But the clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minister was commonly burdened with the care of four or five parishes, a pitiful salary was allotted him, and the regent's insatiable avarice seized on the rest of the fund[p].

1574.

The death of Charles IX. which happened this year, was a new misfortune to the Scottish queen. Henry III. who

n See Append. No. VII.

o The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increased by former princes; the standart or fineness suffered little alteration, and the mixture of alloy was nearly the same with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be recoined. The standart was restored to the same purity as formerly. Ruddim. Præf. to Anders. Diplom. p. 74.

p Crawf. Mem. 272. Spots. 273. Cald. ii. 420. 427.

BOOK VI. 1575. Jan. 22.

ſucceeded him, had not the ſame attachment to her perſon; and his jealouſy of the houſe of Guiſe, and obſequiouſneſs to the queen mother, greatly alienated him from her intereſt.

THE death of the duke of Chatelherault muſt likewiſe be conſidered as ſome loſs to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great reſpect among his countrymen, and enabled him, more than any other perſon in the kingdom, to counterbalance the regent's power.

SOON after, at one of the uſual interviews between the wardens of the Scottiſh and Engliſh marches, a ſcuffle happened, in which the Engliſh were worſted; a few killed on the ſpot; and ſir James Forreſter, the warden, with ſeveral gentlemen who attended him, taken priſoners. But both Elizabeth and the regent were too ſenſible of the advantage which reſulted from the good underſtanding that ſubſiſted between the two kingdoms, to allow this ſlight accident to interrupt it.

Attempts of the clergy againſt the epiſcopal order.

THE domeſtic tranquillity of the kingdom was in ſome danger of being diſturbed by another cauſe. Though the perſons raiſed to the dignity of biſhops poſſeſſed very ſmall revenues, and a very moderate degree of power, the clergy, to whom the regent and all his meaſures were become extremely odious, began to be jealous of that order. Knowing that corruptions ſteal into the church gradually, under honourable names, and upon decent pretences, they were afraid that, from ſuch ſmall beginnings, the hierarchy might grow in time to be as powerful and oppreſſive as ever. The chief author of theſe ſuſpicions was Mr. Andrew Melvil, a man diſtinguiſhed by his uncommon erudition, by the ſeverity of his manners, and the intrepidity of his mind. But, bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he purſued, than to the means which he employed for promoting them, he often defeated laudable deſigns, by the impetuoſity and imprudence with which he carried them on. A queſtion was moved by him in the aſſembly, "whether the office of biſhop, as now exerciſed in the kingdom, were agreeable to the word of God?" In the eccleſiaſtical judicatories, continual complaints were made of the biſhops for neglect of duty, many of which their known remiſſneſs too well juſtified. The biſhop of Dunkeld, being accuſed of dilapidating his benefice, was found guilty by the aſſembly. The regent, inſtead of checking, connived at theſe diſputes about eccleſiaſtical government, as they diverted the

zeal of the clergy from attending to his daily encroachments on the patrimony of the church.

1576. He irritates ſome of the nobles.

THE weight of the regent's oppreſſive adminiſtration had, hitherto, fallen chiefly on thoſe in the lower and middle rank; but he began now to take ſuch ſteps as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cauſe of diſſenſion among the Scottiſh nobles, occaſioned a difference between the earls of Argyll and Athol. A vaſſal of the former had made ſome depredations on the lands of the latter. Athol took arms to puniſh the offender; Argyll, to protect him; and this ignoble quarrel they were ready to decide in the field, when the regent, by interpoſing his authority, obliged them to diſband their forces. Both of them had been guilty of irregularities, which, though common, were contrary to the letter of the law. Of theſe the regent took advantage, and reſolved to found on them a charge of treaſon. This deſign was revealed to the two earls by one of Morton's retainers. The common danger, to which they were expoſed, compelled them to forget old quarrels, and to unite in a cloſe confederacy for their mutual defence. Their junction rendered them formidable; they deſpiſed the ſummons which the regent gave them to appear before a court of juſtice; and he was obliged to deſiſt from any further proſecution. But the injury he intended made a deep impreſſion on their minds, and drew upon him ſevere vengeance [q].

NOR was he more ſucceſsful in an attempt which he made, to load lord Claud Hamilton with the guilt of having formed a conſpiracy againſt his life. Though thoſe who were ſuppoſed to be his accomplices, were ſeized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumſtances diſcovered his innocence, as well as the regent's ſecret views, in imputing to him ſuch an odious deſign [r].

1577. They turn their eyes towards the king.

THE Scottiſh nobles, who were almoſt equal to their monarchs in power, and treated by them with much diſtinction, obſerved theſe arbitrary proceedings of a regent with the utmoſt indignation. The people, who, under a form of government extremely ſimple, had been little accuſtomed to the burden of taxes, complained loudly of the regent's rapacity. And all began to turn their eyes towards the young king, from whom they expected the redreſs of all

[q] Cald. Aſſemblies, 1574, &c. Johnſt. Hiſt. 29.
[r] Crawf. Mem. 285. [s] Crawf. Mem. 287.

BOOK VI.

their grievances, and the return of a more gentle and more equal adminiſtration.

1577. James's education and diſpoſition.

JAMES was now in the twelfth year of his age. The queen, ſoon after his birth, had committed him to the care of the earl of Mar, and during the civil wars he had reſided ſecurely in the caſtle of Stirling. Alexander Erſkine, that nobleman's brother, had the chief direction of his education. Under him, the famous Buchanan acted as preceptor, together with three other maſters, the moſt eminent the nation afforded for ſkill in thoſe ſciences which were deemed neceſſary for a prince. As the young king ſhewed an uncommon paſſion for learning, and made great progreſs in it; the Scots fancied that they already diſcovered in him all thoſe virtues which the fondneſs or credulity of ſubjects uſually aſcribe to princes during their minority. But as James was ſtill far from that age at which the law permitted him to aſſume the reins of government, the regent did not ſufficiently attend to the ſentiments of the people, nor reflect how naturally theſe prejudices in his favour might encourage the king to anticipate that period. He not only neglected to ſecure the friendſhip of thoſe who were about the king's perſon, and who poſſeſſed his ear, but had even exaſperated ſome of them by perſonal injuries. Their reſentment concurred with the ambition of others, in infuſing into the king early ſuſpicions of Morton's power and deſigns. A king, they told him, had often reaſon to fear, ſeldom to love, a regent. Prompted by ambition, and by intereſt, he would endeavour to keep the prince in perpetual infancy, at a diſtance from his ſubjects, and unacquainted with buſineſs. A ſmall degree of vigour, however, was ſufficient to break the yoke. Subjects naturally reverence their ſovereign, and become impatient of the temporary and delegated juriſdiction of a regent. Morton had governed with rigour unknown to the ancient monarchs of Scotland. The nation groaned under his oppreſſions, and would welcome the firſt proſpect of a milder adminiſtration. At preſent the king's name was hardly mentioned in Scotland, his friends were without influence, and his favourites without honour. But one effort would diſcover Morton's power to be as feeble as it was arbitrary. The ſame attempt would put himſelf in poſſeſſion of his juſt authority, and reſcue the nation from intolerable tyranny. If he did not regard his own rights as a king, let him liſten, at leaſt, to the cries of his people[t].

He is ſuſpicious of the regent's power.

[t] Melvil, 249.

THESE

These ſuggeſtions made a deep impreſſion on the young king, who was trained up in an opinion that he was born to command. His approbation of the deſign, however, was of ſmall conſequence, without the concurrence of the nobles. The earls of Argyll and Athol, two of the moſt powerful of that body, were animated with implacable reſentment againſt the regent. To them the cabal in Stirling-caſtle communicated the plot, which was on foot; and they entering warmly into it, Alexander Erſkine, who, ſince the death of his brother, and during the minority of his nephew, had the command of that fort, and the cuſtody of the king's perſon, admitted them ſecretly into the king's preſence. They gave him the ſame account of the miſery of his ſubjects, under the regent's arbitrary adminiſtration; they complained loudly of the injuſtice with which themſelves had been treated, and beſought the king, as the only means for redreſſing the grievances of the nation, to call a council of all the nobles. James conſented, and letters were iſſued in his name for that purpoſe; but the two earls took care that they ſhould be ſent only to ſuch as were known to bear no good will to Morton [u].

1577. A plot formed againſt the regent.

The number of theſe was, however, ſo conſiderable, that on the day appointed, far the greater part of the nobles aſſembled at Stirling; and ſo highly were they incenſed againſt Morton, that, although, on receiving intelligence of Argyll and Athol's interview with the king, he had made a feint as if he would reſign the regency, they adviſed the king, without regarding this offer, to deprive him of his office, and to take the adminiſtration of government into his own hands. Lord Glamis the chancellor, and Herries, were appointed to ſignify this reſolution to Morton, who was at that time in Dalkeith, his uſual place of reſidence. Nothing could equal the joy with which this unexpected reſolution filled the nation, but the ſurpriſe occaſioned by the ſeeming alacrity with which the regent deſcended from ſo high a ſtation. He neither wanted ſagacity to foreſee the danger of reſigning, nor inclination to keep poſſeſſion of an office, for the expiration of which the law had fixed ſo diſtant a term. But all the ſources, whence the faction of which he was head, derived their ſtrength, had either failed, or now ſupplied his adverſaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppreſſions. Elizabeth, having lately bound herſelf by treaty,

1578. March 24. He reſigns his office, and retires.

[u] Spotſ. 278.

to

BOOK VI. 1578.

to ſend a conſiderable body of troops to the aſſiſtance of the inhabitants of the Netherlands, who were ſtruggling for liberty, had little leiſure to attend to the affairs of Scotland; and as ſhe had nothing to dread from France, in whoſe councils the princes of Lorrain had not at that time much influence, ſhe was not diſpleaſed, perhaps, at the birth of new factions in the kingdom. Even thoſe nobles, who had long been joined with Morton in faction, or whom he had attached to his perſon by benefits, Glamis, Lindſay, Ruthven, Pitcairn the ſecretary, Murray of Tillibardin comptroller, all deſerted his falling fortunes, and appeared in the council at Stirling. So many concurring circumſtances convinced Morton of his own weakneſs, and determined him to give way to a torrent, which was too impetuous to be reſiſted. He attended the chancellor and Herries to Edinburgh; was preſent when the king's acceptance of the government was proclaimed; and, in the preſence of the people, ſurrendered to the king all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with ſuch exceſſive joy and acclamations of the multitude, as added, no doubt, to the anguiſh which an ambitious ſpirit muſt feel, when compelled to renounce ſupreme power; and convinced Morton how entirely he had loſt the affections of his countrymen. He obtained, however, from the king an act containing the approbation of every thing done by him in the exerciſe of his office, and a pardon, in the moſt ample form that his fear or caution could deviſe, of all paſt offences, crimes, and treaſons. The nobles, who adhered to the king, bound themſelves under a great penalty, to procure the ratification of this act in the firſt parliament[x].

March 12.

Continues to watch the motions of the adverſe party.

A COUNCIL of twelve peers was appointed to aſſiſt the king in the adminiſtration of affairs. Morton, deſerted by his own party, and unable to ſtruggle with the faction which governed abſolutely at court, retired to one of his ſeats, and ſeemed to enjoy the tranquillity, and to be occupied only in the amuſements of a country life. His mind, however, was deeply diſquieted with all the uneaſy reflections which accompany diſappointed ambition, and intent on ſchemes for recovering his former grandeur. Even in this retreat, which the people called the *Lion's-den*, his wealth and abilities rendered him formidable; and the new counſellors were ſo imprudent as to rouſe him, by the precipitancy

[x] Spotſ. 278. Crawf. Mem. 289. Cald. ii. 522.

cipitancy with which they haſtened to ſtrip him of all the remains of power. They required him to ſurrender the caſtle of Edinburgh, which was ſtill in his poſſeſſion. He refuſed at firſt to do ſo, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulſed part of the garriſon, which was ſent out to guard a convoy of proviſions, he was obliged to give up that important fortreſs, without reſiſtance. This encouraged his adverſaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in ſuch a manner, as convinced him that nothing leſs than his utter ruin would ſatisfy their inveterate hatred. 1578.

THEIR power and popularity, however, began already to decline. The chancellor, the ableſt and moſt moderate man in the party, having been killed at Stirling, in an accidental rencounter between his followers and thoſe of the earl of Crawford; Athol, who was appointed his ſucceſſor in that high office, the earls of Eglinton, Caithneſs, and lord Ogilvie, all the prime favourites at court, were either avowed papiſts, or ſuſpected of leaning to the opinions of that ſect. In an age when the return of popery was ſo much and ſo juſtly dreaded, this gave univerſal alarm. As Morton had always treated the papiſts with rigour, this unſeaſonable favour to perſons of that religion made all zealous proteſtants remember that circumſtance in his adminiſtration with great praiſe [y].

MORTON, to whom none of theſe particulars were unknown, thought this the proper juncture for ſetting to work the inſtruments which he had been preparing. Having gained the confidence of the earl of Mar, and of the counteſs his mother, he inſinuated to them, that Alexander Erſkine had formed a plot to deprive his nephew of the government of Stirling-caſtle, and the cuſtody of the king's perſon; and eaſily induced an ambitious woman, and a youth of twenty, to employ force to prevent this ſuppoſed injury. The earl repairing ſuddenly to Stirling, and being admitted as uſual into the caſtle with his attendants, ſeized the gates early in the morning, and turned out his uncle, who dreaded no danger from his hands. The ſoldiers of the garriſon ſubmitted to him as their governor, and, with little danger and no effuſion of blood, he became maſter both of the king's perſon, and of the fortreſs [z]. Reſumes his former authority. April 26.

AN event ſo unexpected occaſioned great conſternation. Though Morton's hand did not appear in the execution, he

[y] Spotſ. 283. [z] Cald. ii. 535.

was

BOOK VI. 1578.

was universally believed to be the author of the attempt. The new counsellors saw it to be necessary, for their own safety, to change their measures, and, instead of pursuing him with such implacable resentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each side, to adjust their differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too sagacious not to improve the advantage which their security and their attention to the treaty afforded him, set out in the night-time for Stirling, and having
May 24. gained Murray of Tillibardin, Mar's uncle, was admitted by him into the castle; and managing matters there with his usual dexterity, he soon had more entirely the command of the fort, than the earl himself. He was likewise admitted to a seat in the privy council, and acquired as complete an ascendant in it[a].

As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him some anxiety. He was afraid of conducting the young king to a city whose inhabitants were so much at the devotion of the adverse faction. He was no less unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation in the king's name, changing the place of meeting from Edinburgh to Stirling-castle. This Athol and his party represented as a step altogether unconstitutional. The king, said they, is Morton's prisoner; the pretended counsellors are his slaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is absolutely necessary for settling the nation, after disorders of such long continuance. But in an assembly, called contrary to all form, held within the walls of a garrison, and overawed by armed men, what safety could members expect? what liberty could prevail in debate? or what
July 25. benefit result to the public? The parliament met, however, on the day appointed, and, notwithstanding the protestation of the earl of Montrose and lord Lindsay, in name of their party, proceeded to business. The king's acceptance of the government was confirmed; the act granted to Morton, for his security, ratified; some regulations, with regard to the numbers and authority of the privy council, were agreed upon; and a pension for life granted to the countess of

[a] Cald. ii. 536.

Mar,

Mar, who had been ſo inſtrumental in bringing about the late revolution [b]. BOOK VI.

1582.

Argyll and Athol take arms againſt him.

MEANWHILE Argyll, Athol, and their followers, took arms, upon the ſpecious pretence of reſcuing the king from captivity, and the kingdom from oppreſſion. James himſelf, impatient of the ſervitude in which he was held, by a man whom he had long been taught to hate, ſecretly encouraged their enterpriſe; though, at the ſame time, he was obliged not only to diſavow them in public, but to levy forces againſt them, and even to declare, by proclamation, that he was perfectly free from any conſtraint, either upon his perſon or his will. Both ſides quickly took the field. Argyll and Athol were at the head of ſeven thouſand men; the earl of Angus, Morton's nephew, met them with an army five thouſand ſtrong; neither party, however, was eager to engage. Morton diſtruſted the fidelity of his own troops. The two earls were ſenſible that a ſingle victory, however complete, would not be deciſive; and as they were in no condition to undertake the ſiege of Stirling-caſtle, where the king was kept, their ſtrength would ſoon be exhauſted, while Morton's own wealth, and the patronage of the queen of England, might furniſh him with endleſs reſources. By the mediation of Bowes, whom Elizabeth had ſent into Scotland to negotiate an accommodation between the two factions, a treaty was concluded, in conſequence of which, Argyll and Athol were admitted into the king's preſence; ſome of their party were added to the privy council; and a convention of nobles called, in order to bring all remaining differences to an amicable iſſue [c].

August 31.

Elizabeth negotiates an accommodation between them.

As ſoon as James aſſumed the government into his own hands, he diſpatched the abbot of Dunfermling to inform Elizabeth of that event; to offer to renew the alliance between the two kingdoms; and to demand poſſeſſion of the eſtate which had lately fallen to him by the death of his grandmother the counteſs of Lennox. That lady's ſecond ſon had left one daughter, Arabella Stewart, who was born in England. And as the chief objection againſt the pretenſions of the Scottiſh line to the crown of England, was that maxim of Engliſh law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth, by granting this demand, would have eſtabliſhed a precedent in James's favour, that might have been deemed deciſive, with regard to a point, which it had been her conſtant care to keep undecided. Without ſuffering this delicate queſtion to

[b] Cald. ii. 547. Parl. 5 Jac. 6.

[c] Crawf. Mem. 307.

be

BOOK VI. 1578.

be tried, or allowing any new light to be thrown on that, which ſhe conſidered as the great myſtery of her reign, ſhe commanded lord Burleigh, maſter of the wards, to ſequeſter the rents of the eſtate; and by this method of proceeding, gave the Scottiſh king early warning how neceſſary it would be to court her favour, if ever he hoped for ſucceſs in claims of greater importance, but equally liable to be controverted [d].

1579. After many delays, and with much difficulty, the contending nobles were at laſt brought to ſome agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the oppoſite party to a great entertainment, Athol the chancellor was ſoon after taken ill, and died within a few days. The ſymptoms and violence of the diſeaſe gave riſe to ſtrong ſuſpicions of his being poiſoned; and though the phyſicians, who opened his body, differed in opinion as to the cauſe of the diſtemper, the chancellor's relations publicly accuſed Morton of that odious crime. The advantage which viſibly accrued to him, by the removal of a man of great abilities, and averſe from all his meaſures, was ſufficient proof of his guilt to the people, who are ever fond of imputing the death of eminent perſons to extraordinary cauſes [e].

April 24.

Morton's illegal proceedings againſt the family of Hamilton.

The office of chancellor was beſtowed upon Argyll, whom this preferment reconciled, in a great meaſure, to Morton's adminiſtration. He had now recovered all the authority he poſſeſſed during his regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealouſy or to obſtruct his deſigns, but that of Hamilton. The earl of Arran, the eldeſt brother, had never recovered the ſhock which he received from the ill ſucceſs of his paſſion for the queen, and had now altogether loſt his reaſon. Lord John, the ſecond brother, was in poſſeſſion of the family eſtate. Lord Claud was commendator of Paiſley; both of them young men, ambitious and enterpriſing. Morton dreaded their influence in the kingdom; the courtiers hoped to ſhare their ſpoils among them; and as all princes naturally view their ſucceſſors with jealouſy and hatred, it was eaſy to infuſe theſe paſſions into the mind of the young king. A pretence was at hand to juſtify the moſt violent proceedings. The pardon, ſtipulated in the treaty of Perth, did not extend to ſuch as were acceſſary to the murder of the regents Murray or Lennox. Lord John and his brother

[d] Camd. 461. [e] Spotſw. 306.

were

were ſuſpected of being the authors of both theſe crimes, and had been included in a general act of attainder on that account. Without ſummoning them to trial, or examining a ſingle witneſs to prove the charge, this attainder was now thought ſufficient to ſubject them to all the penalties which they would have incurred by being formally convicted. The earls of Mortton, Mar, and Eglinton, together with the lords Ruthven, Boyd, and Cathcart, received a commiſſion to ſeize their perſons and eſtates. On a few hours warning, a conſiderable body of troops was ready, and marched towards Hamilton in hoſtile array. Happily the two brothers made their eſcape, though with great difficulty. But their lands were confiſcated; the caſtles of Hamilton and Draſſan beſieged; thoſe who defended them puniſhed. The earl of Arran, though incapable, from his ſituation, of committing any crime, was involved, by a ſhameful abuſe of law, in the common ruin of his family; and as if he, too, could have been guilty of rebellion, he was confined a cloſe priſoner. Theſe proceedings, ſo contrary to the fundamental principles of juſtice, were all ratified in the ſubſequent parliament [f].

BOOK VII. 1579.

About this time Mary ſent, by Naué her ſecretary, a letter to her ſon, together with ſome jewels of value, and a veſt embroidered with her own hands. But as ſhe gave him only the title of prince of Scotland, the meſſenger was diſmiſſed, without being admitted into his preſence [g].

Though Elizabeth had, at this time, no particular reaſon to fear any attempt of the popiſh princes in Mary's favour, ſhe ſtill continued to guard her with the ſame anxious care. The acquiſition of Portugal, on the one hand, and the defence of the Netherlands, on the other, fully employed the councils and arms of Spain. France, torn in pieces by inteſtine commotions, and under a weak and capricious prince, deſpiſed and diſtruſted by his own ſubjects, was in no condition to diſturb its neighbours. Elizabeth had long amuſed that court by carrying on a treaty of marriage with the duke of Alençon, the king's brother. But whether, at the age of forty-five, ſhe really intended to marry a prince of twenty; whether the pleaſure of being flattered and courted, made her liſten to the addreſſes of ſo young a lover, whom ſhe allowed to viſit her at two different times, and treated with the moſt diſtinguiſhing reſpect; or whether conſiderations of intereſt predominated in this as well as in every other tranſaction of her reign, are problems in hiſtory which we are not concerned to reſolve. During the pro-

Negotiations for a marriage between Elizabeth and the duke of Alençon.

[f] Crawf. Mem. 311. Spotſw. 306.

[g] Crawf. Mem. 314.

greſs

BOOK VI. 1579.

greſs of this negotiation, which was drawn out to an extraordinary length, Mary could expect no aſſiſtance from the French court, and ſeems to have held little correſpondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect ſecurity.

Two favourites gain an aſcendant over James.

Morton ſeems at this time to have been equally ſecure; but his ſecurity was not ſo well founded. He had weathered out one ſtorm, had cruſhed his adverſaries, and was again in poſſeſſion of the ſole direction of affairs. But as the king was now of an age when the character and diſpoſitions of the mind begin to unfold themſelves, and to become viſible, the ſmalleſt attention to theſe might have convinced him, that there was reaſon to expect new and more dangerous attacks on his power. James early diſcovered that exceſſive attachment to favourites, which accompanied him through his whole life. This paſſion, which naturally ariſes from inexperience, and youthful warmth of heart, was, at his age, far from being culpable; nor could it well be expected that the choice of the objects, on whom he placed his affections, ſhould be made with great ſkill. The moſt conſiderable of them was Eſme Stewart, a native of France, and ſon of a ſecond brother of the earl of Lennox. He was diſtinguiſhed by the title of lord D'Aubigné, an eſtate in France, which deſcended to him from his anceſtors, on whom it had been conferred, in reward of their valour and

Sept. 8.

ſervices to the French crown. He arrived in Scotland about this time, on purpoſe to demand the eſtate and title of Lennox, to which he pretended a legal right. He was received at firſt by the king with the reſpect due to ſo near a relation. The gracefulneſs of his perſon, the elegance of his dreſs, and his courtly behaviour, made a great impreſſion on James, who, even in his more mature years, was little able to reſiſt theſe frivolous charms; and his affection flowed with its uſual rapidity and profuſion. Within a few days after Stewart's appearance at court, he was created lord Aberbrothock, ſoon after earl, and then duke of Lennox, governor of Dunbarton caſtle, captain of the guard, firſt lord of the bed-chamber, and lord high chamberlain. At the ſame time, and without any of the envy or emulation which is uſual among candidates for favour, captain James Stewart, the ſecond ſon of lord Ochiltree, grew into great confidence. But notwithſtanding this union, Lennox and captain Stewart were perſons of very oppoſite characters. The former was naturally gentle, humane, candid; but unacquainted with the ſtate of the country, and miſled or miſinformed by thoſe whom he truſted; not unworthy to be the companion

of

of the young king in his amuſements, but utterly diſqualified for acting as a miniſter in directing his affairs. The latter was remarkable for all the vices which render a man formidable to his country, and a pernicious counſellor to his prince; nor did he poſſeſs any one virtue to counterbalance theſe vices, unleſs dexterity in conducting his own deſigns, and an enterpriſing courage, ſuperior to the ſenſe of danger, may paſs by that name. Unreſtrained by religion, regardleſs of decency, and undiſmayed by oppoſition, he aimed at objects ſeemingly unattainable; but under a prince void of experience, and blind to all the defects of thoſe who had gained his favour, his audacity was ſucceſsful; and honours, wealth, and power were the reward of his crimes. BOOK VI. 1579.

They labour to undermine Morton's authority.

Both the favourites concurred in employing their whole addreſs to undermine Morton's credit, which alone obſtructed their full poſſeſſion of power. As James had been bred up with an averſion for that nobleman, who endeavoured rather to maintain the authority of a tutor, than to act with the obſequiouſneſs of a miniſter, they found it no difficult matter to accompliſh their deſign. Morton, who could no longer keep the king ſhut up within the walls of Stirling-caſtle, having called a parliament to meet at Edinburgh, brought him thither. James made his entry into the capital with great ſolemnity; the citizens received him with the loudeſt acclamations of joy, and with many expenſive pageants, according to the mode of that age. After a long period of thirty-ſeven years, during which Scotland had been ſubjected to the delegated power of regents, or to the feeble government of a woman; after having ſuffered all the miſeries of civil war, and felt the inſolence of foreign armies, the nation rejoiced to ſee the ſceptre once more in the hands of a king. Fond even of that ſhadow of authority, which a prince of fifteen could poſſeſs, the Scots flattered themſelves, that union, order, and tranquillity would now be reſtored to the kingdom. James opened the parliament with extraordinary pomp, but nothing remarkable paſſed in it. October 17.

1580.

Theſe demonſtrations, however, of the people's love and attachment to their ſovereign, encouraged the favourites to continue their inſinuations againſt Morton; and as the king now reſided in the palace of Holy-rood-houſe, to which all his ſubjects had acceſs, the cabal againſt the earl grew daily ſtronger, and the intrigue, which occaſioned his fall, ripened gradually.

Morton endeavours to prevent them.

Morton began to be ſenſible of his danger, and endeavoured to put a ſtop to the career of Lennox's preferment, by repreſenting him as a formidable enemy to the reformed reli-

BOOK VI. 1580.

gion, a ſecret agent in favour of popery, and a known emiſſary of the houſe of Guiſe. The clergy, apt to believe every rumour of this kind, ſpread the alarm among the people. But Lennox, either out of complaiſance to his maſter, or convinced by the arguments of ſome learned divines whom the king appointed to inſtruct him in the principles of the proteſtant religion, publicly renounced the errors of popery, in the church of St. Giles, and declared himſelf a member of the church of Scotland, by ſigning her Confeſſion of Faith. This, though it did not remove all ſuſpicions, nor ſilence ſome zealous preachers, abated, in a great degree, the force of the accuſation [h].

On the other hand, a rumour prevailed that Morton was preparing to ſeize the king's perſon and to carry him into England. Whether deſpair of maintaining his power by any other means, had driven him to make any overture of that kind to the Engliſh court, or whether it was a calumny invented by his adverſaries to render him odious, cannot now be determined with certainty. As he declared at his death that ſuch a deſign had never entered into his thoughts, the latter ſeems to be moſt probable. It afforded a pretence, however, for reviving the office of lord chamberlain, which had been for ſome time diſuſed. That honour was conferred on Lennox. Alexander Erſkine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed conſtantly to attend the king, and to guard his perſon [i].

Elizabeth interpoſes in his behalf.

Morton was not ignorant of what his enemies intended to inſinuate by ſuch unuſual precautions for the king's ſafety; and as his laſt reſource, applied to Elizabeth, whoſe protection had often ſtood him in ſtead in his greateſt difficulties. In conſequence of this application, Bowes, her envoy, accuſed Lennox of practices againſt the peace of the two kingdoms, and inſiſted, in her name, that he ſhould inſtantly be removed from the privy council. Such an unprecedented demand was conſidered by the counſellors as an affront to the king, and an encroachment on the independence of the kingdom. They affected to call in queſtion the envoy's powers, and upon that pretence refuſed him farther audience; and he retiring in diſguſt, and without taking leave, ſir Alexander Home was ſent to expoſtulate with Elizabeth on the ſubject. After the treatment which her envoy had received, Elizabeth thought it below her dignity to admit Home into her preſence. Burleigh, to whom he was com-

[h] Crawf. Mem. 319. Spotſ. 308. [i] Crawf. Mem. 320.

manded

manded to impart his commiſſion, reproached him with his master's ingratitude towards a benefactress who had placed the crown on his head, and required him to adviſe the king to beware of ſacrificing the friendſhip of ſo neceſſary an ally to the giddy humours of a young man, without experience, and ſtrongly ſuſpected of principles and attachments incompatible with the happineſs of the Scottiſh nation.

BOOK VI. 1580.

This accuſation of Lennox, haſtened, in all probability, Morton's fall. The act of indemnity, which he had obtained when he reſigned the regency, was worded with ſuch ſcrupulous exactneſs, as almoſt ſcreened him from any legal proſecution. The murder of the late king was the only crime which could not, with decency, be inſerted in a pardon granted by his ſon. Here Morton ſtill lay open to the penalties of the law, and captain Stewart, who ſhunned no action, however deſperate, if it led to power or to favour, entered the council-chamber while the king and nobles were aſſembled, and falling on his knees, accuſed Morton of being acceſſary, or, according to the language of the Scottiſh law, *art and part*, in the conſpiracy againſt the life of his majeſty's father, and offered, under the uſual penalties, to verify this charge by legal evidence. Morton, who was preſent, heard this accuſation with firmneſs; and replied with a diſdainful ſmile, proceeding either from contempt of the infamous character of his accuſer, or from conſciouſneſs of his own innocence, "that his known zeal in puniſhing thoſe who were ſuſpected of that deteſtable crime, might well exempt himſelf from any ſuſpicion of being acceſſary to it; nevertheleſs, he would cheerfully ſubmit to a trial, either in that place or in any other court; and doubted not but his own innocence, and the malice of his enemies, would then appear in the cleareſt light." Stewart, who was ſtill on his knees, began to inquire how he would reconcile his beſtowing ſo many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal againſt that crime. Morton was ready to anſwer. But the king commanded both to be removed. The earl was confined, firſt of all to his own houſe, and then committed to the caſtle of Edinburgh, of which Alexander Erſkine was governor; and as if it had not been a ſufficient indignity to ſubject him to the power of one of his enemies, he was ſoon after carried to Dunbarton, of which Lennox had the command. A warrant was likewiſe iſſued for apprehending Archibald Douglas; but he, having received timely intelligence of the approaching danger, fled into England [k].

Morton accuſed of the murder of the late king.

Decem. 30.

1581. January 2.

Jan. 18.

[k] Crawf. Mem. 323.

BOOK VI. 1581.

The earl of Angus, who imputed theſe violent proceedings, not to hatred againſt Morton alone, but to the ancient enmity between the houſes of Stewart and of Douglas, and who believed that a conſpiracy was now formed for the deſtruction of all who bore that name, was ready to take arms in order to reſcue his kinſman. But Morton abſolutely forbad any ſuch attempt, and declared that he would rather ſuffer ten thouſand deaths, than bring an imputation upon his own character by ſeeming to decline a trial.

Elizabeth's meaſures in order to ſave him.

Elizabeth did not fail to interpoſe, with warmth, in behalf of a man who had contributed ſo much to preſerve her influence over Scotland. The late tranſactions in that kingdom had given her great uneaſineſs. The power which Lennox had acquired independent of her was dangerous; the treatment her ambaſſadors had met with differed greatly from the reſpect with which the Scots were in uſe to receive her miniſters; and the attack now made on Morton fully convinced her that there was an intention to ſow the ſeeds of diſcord between the two nations, and to ſeduce James into a new alliance with France, or into a marriage with ſome popiſh princeſs. Full of theſe apprehenſions, ſhe ordered a conſiderable body of troops to be aſſembled on the borders of Scotland, and diſpatched Randolph as her ambaſſador into that kingdom. He addreſſed himſelf not only to James, and to his council, but to a convention of eſtates, met at that time. He began with enumerating the extraordinary benefits which Elizabeth had conferred on the Scottiſh nation: that without demanding a ſingle foot of land for herſelf, without encroaching on the liberties of the kingdom in the ſmalleſt article, ſhe had, at the expence of the blood of her ſubjects and the treaſures of her crown, reſcued the Scots from the dominion of France, eſtabliſhed among them true religion, and put them in poſſeſſion of their ancient rights: that from the beginning of civil diſſentions in the kingdom, ſhe had protected thoſe who eſpouſed the king's cauſe, and by her aſſiſtance alone, the crown had been preſerved on his head, and all the attempts of the adverſe faction baffled: that an union, unknown to their anceſtors, but equally beneficial to both kingdoms, had ſubſiſted for a long period of years; and though ſo many popiſh princes had combined to diſturb this happy ſtate of things, her care, and their conſtancy, had hitherto defeated all theſe efforts: that ſhe had obſerved of late an unuſual coldneſs, diſtruſt, and eſtrangement in the Scottiſh council, which ſhe

1 Johnſt. 64. Spotſw. 312.

could

could impute to none but to Lennox, a ſubject of France, a retainer to the houſe of Guiſe, bred up in the errors of popery, and ſtill ſuſpected of favouring that ſuperſtition. Not ſatisfied with having mounted ſo faſt to an uncommon height of power, which he exerciſed with all the raſhneſs of youth, and all the ignorance of a ſtranger; nor thinking it enough to have deprived the earl of Morton of the authority due to his abilities and experience, he had conſpired the ruin of that nobleman, who had often expoſed his life in the king's cauſe, who had contributed more than any other ſubject to place him on the throne, to reſiſt the encroachments of popery, and to preſerve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wiſhed for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his miſtreſs, to remove ſuch a pernicious counſellor as Lennox from the preſence of the young king, to reſcue Morton out of the hands of his avowed enemy, and ſecure to him the benefit of a fair and impartial trial: and if force was neceſſary towards accompliſhing a deſign ſo ſalutary to the king and kingdom, he promiſed them the protection of his miſtreſs in the enterpriſe, and whatever aſſiſtance they ſhould demand either of men or money[m].

BOOK VI. 1582.

Elizabeth's meaſures in order to ſave him.

But theſe extraordinary remonſtrances, accompanied with ſuch an unuſual appeal from the king to his ſubjects, were not the only means employed by Elizabeth in favour of Morton, and againſt Lennox. She perſuaded the prince of Orange to ſend an agent into Scotland, and under colour of complimenting James on account of the valour which many of his ſubjects had diſplayed in the ſervice of the ſtates, to enter into a long detail of the reſtleſs enterpriſes of the popiſh princes againſt the proteſtant religion; to beſeech him to adhere inviolably to the alliance with England, the only barrier which ſecured his kingdom againſt their dangerous cabals; and, above all things, to diſtruſt the inſinuations of thoſe who endeavoured to weaken or to diſſolve that union between the Britiſh nations, which all the proteſtants in Europe beheld with ſo much pleaſure[n].

James determines to proceed againſt him.

James's counſellors were too intent upon the deſtruction of their enemy to liſten to theſe remonſtrances. The officious interpoſition of the prince of Orange, the haughty tone of Elizabeth's meſſage, and her avowed attempt to excite ſubjects to rebel againſt their ſovereign, were

[m] Cald. iii. 6. Strype, ii. 62.

[n] Cald. iii. 9. See Append. No. VIII.

BOOK VI. 1581.

conſidered as unexampled inſults on the majeſty and independence of a crowned head. A general and reſuſive anſwer was given to Randolph. James prepared to aſſert his own dignity with ſpirit. All thoſe ſuſpected of favouring Morton were turned out of office. Some of them were required to ſurrender themſelves priſoners; the men capable of bearing arms throughout the kingdom were commanded to be in readineſs to take the field; and troops were levied and poſted on the borders. The Engliſh ambaſſador, finding that neither the public manifeſto which he had delivered to the convention, nor his private cabals with the nobles, could excite them to arms, fled in the night-time out of Scotland, where libels againſt him had been daily publiſhed, and even attempts made upon his life. In both kingdoms every thing wore an hoſtile aſpect. But Elizabeth, though ſhe wiſhed to have intimidated the Scottiſh king by her preparations, had no inclination to enter into a war with him, and the troops on the borders, which had given ſuch umbrage, were ſoon diſperſed [p].

THE greater ſolicitude Elizabeth diſcovered for Morton's ſafety, the more eagerly did his enemies drive on their ſchemes for his deſtruction. Captain Stewart, his accuſer, was firſt appointed *tutor* to the earl of Arran, and ſoon after both the title and eſtate of his unhappy ward, to which he advanced ſome frivolous claim, were conferred upon him. The new-made peer was commanded to conduct Morton from Dunbarton to Edinburgh; and by that choice the earl was not only warned what fate he might expect, but had the cruel mortification of ſeeing his deadly enemy already loaded with honours, in reward of the malice which he had contributed to his ruin.

He is tried and condemned.

THE records of the court of *juſticiary* at this period are loſt. The account which our hiſtorians give of Morton's trial is inaccurate and unſatisfactory. The proceedings againſt him ſeem to have been carried on with violence. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was compoſed of the earl's known enemies; and though he challenged ſeveral of them, his objections were over-ruled. After a ſhort conſultation, his peers found him guilty of concealing, and of being *art and part* in the conſpiracy againſt the life of the late king. The firſt part of the verdict did not ſurpriſe him, but he twice repeated the words *art and part* with ſome vehemence, and added, "God knows it is not ſo." The

[p] Crawf. Mem. 328. Stryp. ii. App. 138.

doom

doom which the law decrees against a traitor, was pronounced. The king, however, remitted the cruel and ignominious part of the sentence, and appointed that he should suffer death next day, by being beheaded.

BOOK V. 1581.

DURING that awful interval, Morton possessed the utmost composure of mind. He supped cheerfully; slept a part of the night in his usual manner, and employed the rest of his time in religious conferences, and in acts of devotion with some ministers of the city. The clergyman who attended him, dealt freely with his conscience, and pressed his crimes home upon him. What he confessed with regard to the crime for which he suffered, is remarkable, and supplies, in some measure, the imperfection of our records. He acknowledged, that on his return from England after the death of Rizio, Bothwell had informed him of the conspiracy against the king, which the queen, as he told him, knew of and approved; that he solicited him to concur in the execution of it, which at that time he absolutely declined; that soon after, Bothwell himself, and Archibald Douglas, in his name, renewing their solicitations to the same purpose, he had required a warrant under the queen's hand, authorizing the attempt, and as that had never been produced, he had refused to be any farther concerned in the matter. "But," continued he, "as I neither consented to this "treasonable act, nor assisted in the committing of it; "so it was impossible for me to reveal, or to prevent it. "To whom could I make the discovery? The queen was "the author of the enterprise. Darnly was such a change-"ling, that no secret could be safely communicated to him. "Huntly and Bothwell, who bore the chief sway in the "kingdom, were themselves the perpetrators of the crime." These circumstances, it must be confessed, go some length towards extenuating Morton's guilt; and though his apology for the favour he had shewn to Archibald Douglas, whom he knew to be one of the conspirators, be far less satisfactory, no uneasy reflections seem to have disquieted his own mind on that account[p]. When his keepers told him that the guards were attending, and all things in readiness, "I praise my God," said he, "I am ready likewise." Arran commanded these guards; and even in those moments, when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this insult.

His death.

[p] Spotsw. 314. Johnst. 65. Crawf. Mem. 332. Cald. iii. 45. Arnot's Crimin. Trials, 388.

[q] Crawf. Mem. App. iii.

BOOK VI. 1581.

On the ſcaffold, his behaviour was calm; his countenance and voice unaltered; and after ſome time ſpent in devotion, he ſuffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol of Edinburgh; and his body, after lying till ſun-ſet on the ſcaffold, covered with a beggarly cloak, was carried by common porters to the uſual burial-place of criminals. None of his friends durſt accompany it to the grave, or diſcover their gratitude and reſpect by any ſymptoms of ſorrow[r].

Odious conduct of Arran.

ARRAN, no leſs profligate in private life, than audacious in his public conduct, ſoon after drew the attention of his countrymen, by his infamous marriage with the counteſs of March. Before he grew into favour at court, he had been often entertained in her huſband's houſe, and without regarding the laws of hoſpitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but, according the deſcription of a cotemporary hiſtorian, "intolerable in all "the imperfections incident to her ſex." Impatient of any reſtraint upon their mutual deſires, they, with equal ardour, wiſhed to avow their union publicly, and to legitimate, by a marriage, the offſpring of their unlawful paſſion. The counteſs petitioned to be divorced from her huſband, for a reaſon which no modeſt woman will ever plead. The judges, over-awed by Arran, paſſed ſentence without
July 6. delay. This infamous ſcene was concluded by a marriage, ſolemniſed with great pomp, and beheld by all ranks of men with the utmoſt horror[s].

Octob. 24. A PARLIAMENT was held this year, at the opening of which ſome diſputes aroſe between Arran and the earl now created duke of Lennox. Arran, haughty by nature, and puſhed on by his wife's ambition, began to affect an equality with the duke, under whoſe protection he had hitherto been contented to place himſelf. After various attempts to form a party in the council againſt Lennox, he found him fixed ſo firmly in the king's affections, that it was impoſſible to ſhake him; and rather than loſe all intereſt at court, from which he was baniſhed, he made the moſt humble ſubmiſſions to the favourite, and again recovered his former credit. This rupture contributed, however, to render the duke ſtill more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the proteſtant religion,

[r] Crawf. Mem. 334. Spotſw. 314. [s] Spotſw. 315.

and

and laboured to confirm the ſuſpicions which were entertained of his rival, as an emiſſary of the houſe of Guiſe, and a favourer of popery. As he was ſuppoſed to be acquainted with the duke's moſt ſecret deſigns, his calumnies were liſtened to with greater credit than was due to his character. To this rivalſhip between Lennox and Arran, during the continuance of which each endeavoured to conciliate the good-will of the clergy, we muſt aſcribe ſeveral acts of this parliament uncommonly favourable to the church, particularly one which aboliſhed the practice introduced by Morton, of appointing but one miniſter to ſeveral pariſhes. B. 6. C. 6. Ja. VI. 1581.

No notice hath been taken for ſeveral years of eccleſiaſtical affairs. While the civil government underwent ſo many extraordinary revolutions, the church was not free from convulſions. Two objects chiefly engroſſed the attention of the clergy. The one was, the forming a ſyſtem of diſcipline, or eccleſiaſtical polity. After long labour, and many difficulties, this ſyſtem was at laſt brought to ſome degree of perfection. The aſſembly ſolemnly approved of it, and appointed it to be laid before the privy council, in order to obtain the ratification of it in parliament. But Morton, during his adminiſtration, and thoſe who, after his fall, governed the king, were equally unwilling to ſee it carried into execution; and by ſtarting difficulties, and throwing in objections, prevented it from receiving a legal ſanction. The other point in view was, the abolition of the epiſcopal order. The biſhops were ſo devoted to the king, to whom they owed their promotion, that the function itſelf was by ſome reckoned dangerous to civil liberty. Being allowed a ſeat in parliament, and diſtinguiſhed by titles of honour, theſe not only occaſioned many avocations from their ſpiritual employments, but ſoon rendered their character and manners extremely different from thoſe of the clergy in that age. The nobles viewed their power with jealouſy; the populace conſidered their lives as profane; and both wiſhed their downfal with equal ardour. The perſonal emulation between Melvil and Adamſon, a man of learning, and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be archbiſhop of St. Andrew's, mingled itſelf with the paſſions on each ſide, and heightened them. Attacks were made in every aſſembly on the order of biſhops; their privileges were gradually circumſcribed; and at laſt an act was paſſed, declaring the office of biſhop, as it was then exerciſed within the realm, to have neither foundation

Eccleſiaſtical affairs.

nor

BOOK VI. 1581.

non warrant in the word of God; and requiring, under pain of excommunication, all who now poſſeſſed that office, inſtantly to reſign it, and to abſtain from preaching or adminiſtering the ſacraments, until they ſhould receive permiſſion from the general aſſembly. The court did not acquieſce in this decree. A vacancy happening ſoon after in the ſee of Glaſgow, Montgomery miniſter at Stirling, a man vain, fickle, preſumptuous, and more apt, by the blemiſhes in his character, to have alienated the people from an order already beloved, than to reconcile them to one which was the object of their hatred, made an infamous ſimoniacal bargain with Lennox, and on his recommendation was choſen archbiſhop. The preſbytery of Stirling, of which he was a member, the preſbytery of Glaſgow, whither he was to be tranſlated, the general aſſembly, vied
1582. with each other in proſecuting him on that account. In order to ſcreen Montgomery, James made trial both of gentle and of rigorous meaſures, and both were equally ineffectual. The general aſſembly was juſt ready to pronounce againſt him the ſentence of excommunication, when an herald entered, and commanded them in the king's name, and under pain of rebellion, to ſtop further proceedings. Even this injunction they deſpiſed; and though Montgomery, by his tears and ſeeming penitence, procured a ſhort reſpite, the ſentence was at laſt iſſued by their appointment, and publiſhed in all the churches throughout the kingdom.

The firmneſs of the clergy in a collective body was not greater than the boldneſs of ſome individuals, particularly of the miniſters of Edinburgh. They inveighed daily againſt the corruptions in the adminiſtration; and, with the freedom of ſpeech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the king of the inſolent and ſeditious ſpirit of the clergy. In order to check the boldneſs of their diſcourſes, James iſſued a proclamation, commanding Dury, one of the moſt popular miniſters, not only to leave the town, but to abſtain from preaching in any other place. Dury complained to the judicatories of this encroachment upon the immunities of his office. They approved of the doctrine which he had delivered; and he determined to diſregard the royal proclamation. But the magiſtrates being determined to compel him to leave the city, according to the king's orders, he was obliged to abandon his charge, after proteſting publicly, at the croſs of Edinburgh, againſt the

violence which was put upon him. The people accompanied him to the gates with tears and lamentations; and the clergy denounced the vengeance of Heaven against the authors of this outrage[1]. BOOK VII. 1582.

IN this perilous situation stood the church, the authority of its judicatories called in question, and the liberty of the pulpit restrained, when a sudden revolution of the civil government procured them unexpected relief.

His favourites engage the king in unpopular measures.

THE two favourites, by their ascendant over the king, possessed uncontrolled power in the kingdom, and exercised it with the utmost wantonness. James usually resided at Dalkeith, or Kinneil, the seats of Lennox and of Arran, and was attended by such company, and employed in such amusements, as did not suit his dignity. The services of those who had contributed most to place the crown on his head were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative, utterly inconsistent with the constitution of Scotland, being instilled by his favourites into the mind of the young monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his subsequent errors in the government of both kingdoms[2]. Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms which are peculiar to feudal holdings, they were fined with unusual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to actions no less grievous. A design seemed likewise to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good protestants esteemed the chief security of their religion in Scotland. A close correspondence was carried on between the king and his mother, and considerable progress made towards uniting their titles to the crown, by such a treaty of association as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with greatest vigour[3].

The nobles conspire against them.

ALL these circumstances irritated the impatient spirit of the Scottish nobles, who resolved to tolerate no longer the insolence of the two minions, or to stand by, while their

[1] Cald. Assemb. 1576—1582. Spotsw. 277, &c. [2] Cald. iii. 152.
[3] Ibid. iii. 157.

presump-

BOOK VI.

1582.

preſumption and inexperience ruined both the king and kingdom. Elizabeth, who, during the adminiſtration of the four regents, had the entire direction of the affairs of Scotland, felt herſelf deprived of all influence in that kingdom ever ſince the death of Morton, and was ready to countenance any attempt to reſcue the king out of the hands of favourites who were leading him into meaſures ſo repugnant to all her views. The earls of Mar and Glencairn, lord Ruthven, lately created earl of Gowrie, lord Lindſay, lord Boyd, the tutor of Glamis, the eldeſt ſon of lord Oliphant, with ſeveral barons and gentlemen of diſtinction, entered into a combination for that purpoſe; and as changes in adminiſtration, which, among poliſhed nations, are brought about ſlowly and ſilently, by artifice and intrigue, were in that rude age affected ſuddenly and by violence, the king's ſituation, and the ſecurity of the favourites, encouraged the conſpirators to have immediate recourſe to force.

Seize the king's perſon at Ruthven.

JAMES, after having reſided for ſome time in Athol, where he enjoyed his favourite amuſement of hunting, was now returning towards Edinburgh with a ſmall train. He was invited to Ruthven caſtle, which lay in his way; and as he ſuſpected no danger, he went thither in hopes of farther ſport. The multitude of ſtrangers whom he found there gave him ſome uneaſineſs; and as thoſe who were in the ſecret arrived every moment from different parts, the appearance of ſo many new faces increaſed his fears. He concealed his uneaſineſs, however, with the utmoſt care; and next morning prepared for the field, expecting to find there ſome opportunity of making his eſcape. But juſt as he was ready to depart, the nobles entered his bedchamber in a body, and preſented a memorial againſt the illegal and oppreſſive actions of his two favourites, whom they repreſented as moſt dangerous enemies to the religion and liberties of the nation. James, though he received this remonſtrance with the complaiſance which was neceſſary in his preſent ſituation, was extremely impatient to be gone; but as he approached the door of his apartment, the tutor of Glamis rudely ſtopped him. The king complained, expoſtulated, threatened, and, finding all theſe without effect, burſt into tears: "No "matter," ſaid Glamis fiercely, "better children weep "than bearded men." Theſe words made a deep impreſſion on the king's mind, and were never forgotten. The conſpirators, without regarding his tears or indignation, diſmiſſed ſuch of his followers as they ſuſpected; allowed none but perſons of their own party to have acceſs to him; and, though they treated him with great reſpect, guarded his

person with the utmost care. This enterprise is usually called, by our historians, *The raid of Ruthven*[1].

BOOK VII.

1582. Commit Arran to prison.

Lennox and Arran were astonished to the last degree at an event so unexpected, and so fatal to their power. The former endeavoured, but without success, to excite the inhabitants of Edinburgh to take arms in order to rescue their sovereign from captivity. The latter, with his usual impetuosity, mounted on horseback the moment he heard what had befallen the king, and with a few followers rode towards Ruthven-castle; and as a considerable body of the conspirators, under the command of the earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the sight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not saved a life so pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the king's presence.

Command Lennox to leave the kingdom.

The king, though really the prisoner of his own subjects, with whose conduct he could not help discovering many symptoms of disgust, was obliged to publish a proclamation, signifying his approbation of their enterprise, declaring that he was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the *Raid of Ruthven*, under pretence of rescuing him out of their hands. At the same time, he commanded Lennox to leave Scotland before the twentieth of September[2]. August 28.

The conspirators countenanced by Elizabeth.

Soon after, sir George Carey and Robert Bowes arrived as ambassadors from Elizabeth. The pretext of their embassy was to inquire after the king's safety; to encourage and countenance the conspirators was the real motive of it. By their intercession, the earl of Angus, who, ever since the death of his uncle Morton, had lived in exile, obtained leave to return. And the accession of a nobleman so powerful and so popular strengthened the faction[3].

Lennox, whose amiable and gentle qualities had procured him many friends, and who received private assurances that the king's favour towards him was in no degree abated, seemed resolved, at first, to pay no regard to a command extorted by violence, and no less disagreeable to James, than it was

[1] Cald. iii. 134. Spotsw. 320. Melv. 357.
[2] Cald. iii. 135. 138. [3] Ibid. iii. 152.

rigorous

BOOK VI. 1582.

rigorous with regard to himself. But the power of his enemies, who were masters of the king's person, who were secretly supported by Elizabeth, and openly applauded by the clergy, deterred him from any enterprise, the success of which was dubious, and the danger certain, both to himself and to his sovereign. He put off the time of his departure, however, by various artifices, in expectation either that James might make his escape from the conspirators, or that fortune might present some more favourable opportunity of taking arms for his relief.

Their conduct approved by an assembly and a convention of estates.

On the other hand, the conspirators were extremely solicitous not only to secure the approbation of their countrymen, but to obtain some legal sanction of their enterprise. For this purpose they published a long declaration, containing the motives which had induced them to venture on such an irregular step, and endeavoured to heighten the public indignation against the favourites, by representing, in the strongest colours, their inexperience and insolence, their contempt of the nobles, their violation of the privileges of the church, and their oppression of the people. They obliged the king, who could not with safety refuse any of their demands, to grant them a remission in the most ample form; and not satisfied with that, they applied to the assembly of the church, and easily procured an act, declaring, "that they had done good and "acceptable service to God, to their sovereign, and to their "native country;" and requiring all sincere protestants to concur with them in carrying forward such a laudable enterprise. In order to add the greater weight to this act, every minister was enjoined to read it in his own pulpit, and to inflict the censures of the church on those who set themselves in opposition to so good a cause. A convention of estates assembled a few days after, passed an act to the same effect, and granted full indemnity to the conspirators for every thing they had done [b].

October 3.

Lennox's departure from Scotland.

James was conducted by them, first to Stirling, and afterwards to the palace of Holy-rood-house; and though he was received every where with the external marks of respect due to his dignity, his motions were carefully observed, and he was under a restraint no less strict than at the first moment when he was seized by the conspirators. Lennox, after eluding many commands to depart out of the kingdom, was at last obliged to begin his journey. He lingered, however, for some time in the neighbourhood of Edinburgh, as if he had still intended to make some effort towards restor-

[b] Calderw. iii. 177. 187. Rec. Spotsw. 321.

ing

ing the king to liberty. But either from the gentleneſs of his own diſpoſition, averſe to bloodſhed and the diſorders of civil war, or from ſome other cauſe unknown to us, he abandoned the deſign, and ſet out for France, by the way of England. The king iſſued the order for his departure with no leſs reluctance than the duke obeyed it; and both mourned a ſeparation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey, or the anguiſh of his mind, threw him into a fever. In his laſt moments he diſcovered ſuch a firm adherence to the proteſtant faith, as fully vindicates his memory from the imputation of an attachment to popery, with which he had been uncharitably loaded in Scotland[c]. As he was the earlieſt, and beſt beloved, he was, perhaps, the moſt deſerving, though not the moſt able, of all James's favourites. The warmth and tenderneſs of his maſter's affection for him was not abated by death itſelf. By many acts of kindneſs and generoſity towards his poſterity, the king not only did great honour to the memory of Lennox, but ſet his own character in one of its moſt favourable points of view.

1581. Dec. 30.

THE ſucceſs of the conſpiracy which deprived James of liberty made great noiſe over all Europe, and at laſt reached the ears of Mary in the priſon to which ſhe was confined. As her own experience had taught her what injuries a captive prince is expoſed to ſuffer; and as many of thoſe who were now concerned in the enterpriſe againſt her ſon, were the ſame perſons whom ſhe conſidered as the chief authors of her own misfortunes, it was natural for the tenderneſs of a mother to apprehend that the ſame calamities were ready to fall on his head; and ſuch a proſpect did not fail of adding to the diſtreſs and horror of her own ſituation. In the anguiſh of her heart, ſhe wrote to Elizabeth, complaining in the bittereſt terms of the unprecedented rigour with which ſhe herſelf had been treated, and beſeeching her not to abandon her ſon to the mercy of his rebellious ſubjects; nor permit him to be involved in the ſame misfortunes under which ſhe had ſo long groaned. The peculiar vigour and acrimony of ſtyle, for which this letter is remarkable, diſcover both the high ſpirit of the Scottiſh queen, unſubdued by her ſufferings, and the violence of her indignation at Elizabeth's artifices and ſeverity. But it was ill adapted to gain the end ſhe had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interpoſition in favour of the king[d].

Mary's anxiety about her ſon.

[c] Spotſw. 314. Cald. iii. 272. [d] Camd. 489.

HENRY

BOOK VI.

1583. Ambaſſadors arrive from France and England.

HENRY III. who, though he feared and hated the princes of Guiſe, was often obliged to court their favour, interpoſed with warmth, in order to extricate James out of the hands a party ſo intirely devoted to the Engliſh intereſt. He commanded M. de la Motte Fenelon, his ambaſſador at the court of England, to repair to Edinburgh, and to contribute his utmoſt endeavours towards placing James in a ſituation more ſuitable to his dignity. As Elizabeth could not, with decency, refuſe him liberty to execute this commiſſion, ſhe appointed Daviſon to attend him into Scotland as her envoy, under colour of concurring with him in the negotiation, but in reality to be a ſpy upon his motions, and to obſtruct his ſucceſs. James, whoſe title to the crown had not hitherto been recogniſed by any of the princes on the continent, was extremely fond of ſuch an honourable embaſſy from the French monarch; and, on that account, as well as for the ſake of the errand on which he came, received Fenelon with great reſpect. The nobles, in whoſe power the king was, did not reliſh this interpoſition of the French court, which had long loſt its ancient influence over the affairs of Scotland. The clergy were alarmed at the danger to which religion would be expoſed, if the princes of Guiſe ſhould recover any aſcendant over the public councils. Though the king tried every method for reſtraining them within the bounds of decency, they declaimed againſt the court of France, againſt the princes of Guiſe, againſt the ambaſſador, againſt entering into any alliance with ſuch notorious perſecutors of the church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The ambaſſador, watched by Daviſon, diſtruſted by the nobles, and expoſed to the inſults of the clergy and of the people, returned into England without procuring any change in the king's ſituation, or receiving any anſwer to a propoſal which he made, that the government ſhould be carried on in the joint names of James and the queen his mother [e].

January 7.

James eſcapes out of the hands of the conſpirators.

MEANWHILE James, though he diſſembled with great art, became every day more uneaſy under his confinement; his uneaſineſs rendered him continually attentive to find out a proper opportunity for making his eſcape; and to this attention he at laſt owed his liberty, which the king of France was not able, nor the queen of England willing, to procure for him. As the conſpirators had forced Lennox out of the kingdom, and kept Arran at a diſtance from court, they

[e] Cald. iii. 207. Spotſw. 324. Murdin, 372, &c. See Appendix, No. IX.

grew

BOOK VI. 1583.

power, Bothwel and imagining that time had reconciled the king to them, and to his fortune, they watched him with little care. Some occasions of diffidence had arisen among themselves; and the French ambassador, by fomenting these during the time of his residence in Scotland, had weakened the union, in which alone their safety consisted. Colonel William Stewart, the commander of the band of gentlemen who guarded the king's person, being gained by James, had the principal merit in the scheme for restoring his master to liberty. Under pretence of paying a visit to the earl of March, his grand uncle, James was permitted to go from Falkland to St. Andrew's. That he might not create any suspicion, he lodged at first in an open defenceless house in the town, but pretending a curiosity to see the castle, no sooner was he entered with some of his attendants whom he could trust, than colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the earls of Argyll, Huntly, Crawford, Montrose, Rothes, with others to whom the secret had been communicated, entered the town with their followers; and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far outnumbered, that it was in vain to think of recovering possession of the king's person, which had been in their power somewhat longer than ten months. James was naturally of so soft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the sway of favourites. As he remained implacable and unreconciled to the conspirators during so long a time, and at a period of life when resentments are rather violent than lasting, they must either have improved the opportunities of insinuating themselves into favour with little dexterity, or the indignation with which this first insult to his person and authority filled him, must have been very great.

June 27.

His joy at his escape was youthful and excessive. He resolved, however, by the advice of sir James Melvil, and his wisest counsellors, to act with the utmost moderation. Having called into his presence the leaders of both factions, the neighbouring gentry, the deputies of the adjacent boroughs, the ministers, and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been so frequent during his minority, would pass a general act of

Resolves, however, to treat them with moderation.

[1] Camd. 482.

BOOK VI. 1583.

oblivion, and govern all his ſubjects with undiſtinguiſhing and equal affection. As an evidence of his ſincerity, he viſited the earl of Gowrie at Ruthven-caſtle, and granted him a full pardon of any guilt he had contracted, by the crime committed in that very place [g].

But Arran regains his aſcendant over him;

But James did not adhere long to this prudent and moderate plan. His former favourite, the earl of Arran, had been permitted for ſome time to reſide at Kinneil, one of his country ſeats. As ſoon as the king felt himſelf at liberty, his love for him began to revive, and he expreſſed a ſtrong deſire to ſee him. The courtiers violently oppoſed the return of a minion, whoſe inſolent and overbearing temper they dreaded, as much as the nation deteſted his crimes. James, however, continued his importunity, and promiſing that he ſhould continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the king forgot his promiſe; Arran regained his aſcendant over him; and within a few days reſumed the exerciſe of power, with all the arrogance of an undeſerving favourite, and all the raſhneſs peculiar to himſelf [h].

and the king purſues another plan.

The firſt effect of his influence was a proclamation with regard to thoſe concerned in the *Raid of Ruthven*. They were required to acknowledge their crime in the humbleſt manner; and the king promiſed to grant them a full pardon, provided their future conduct were ſuch as did not oblige him to remember paſt miſcarriages. The tenour of this proclamation was extremely different from the act of oblivion which the conſpirators had been encouraged to expect. Nor did any of them reckon it ſafe to rely on a promiſe clogged with ſuch an equivocal condition, and granted by a young prince under the dominion of a miniſter void of faith, regardleſs of decency, and tranſported by the deſire of revenge even beyond the uſual ferocity of his temper. Many of the leaders, who had at firſt appeared openly at court, retired to their own houſes; and, foreſeeing the dangerous ſtorm which was gathering, began to look out for a retreat in foreign countries [i].

Elizabeth's ſolicitations in behalf of the conſpirators. Auguſt 7.

Elizabeth, who had all along protected the conſpirators, was extremely diſguſted with meaſures which tended ſo viſibly to their deſtruction, and wrote to the king a harſh and haughty letter, reproaching him in a ſtyle very uncommon among princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding ſo rigorouſly

g Melv. 272. h Ibid. 274.
i Melv. 278. Spotſw. 326. Cald. iii. 330.

againſt his beſt and moſt faithful ſubjects. James, with a becoming dignity, replied, that promiſes extorted by violence, and conditions yielded out of fear, were no longer binding, when theſe were removed; that it belonged to him alone to chuſe what miniſters he would employ in his ſervice; and that though he reſolved to treat the conſpirators at Ruthven with the utmoſt clemency, it was neceſſary, for the ſupport of his authority, that ſuch an inſult on his perſon ſhould not paſs altogether uncenſured [k].

Elizabeth's letter was quickly followed by Walſingham her ſecretary, whom ſhe appointed her ambaſſador to James, and who appeared at the Scottiſh court with a ſplendour and magnificence well calculated to pleaſe and dazzle a young prince. Walſingham was admitted to ſeveral conferences with James himſelf, in which he inſiſted on the ſame topics contained in the letter, and the king repeated his former anſwers. Sept. 7. Walſingham's embaſſy into Scotland,

After ſuffering ſeveral indignities from the arrogance of Arran and his creatures, he returned to England, without concluding any new treaty with the king. Walſingham was, next to Burleigh, the miniſter on whom the chief weight of the Engliſh adminiſtration reſted; and when a perſon of his rank ſtept ſo far out of the ordinary road of buſineſs, as to undertake a long journey in his old age, and under a declining ſtate of health, ſome affair of conſequence was ſuppoſed to be the cauſe, or ſome important event was expected to be the effect, of this meaſure. But as nothing conſpicuous either occaſioned or followed this embaſſy, it is probable that Elizabeth had no other intention in employing this ſagacious miniſter, than to diſcover, with exactneſs, the capacity and diſpoſition of the Scottiſh king, who was now arrived at a time of life when, with ſome degree of certainty, conjectures might be formed concerning his character and future conduct. As James poſſeſſed talents of that kind, which make a better figure in converſation than in action, he gained a great deal by this interview with the Engliſh ſecretary, who, notwithſtanding the cold reception which he met with, gave ſuch an advantageous repreſentation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and reſpect [l].

Elizabeth's eagerneſs to protect the conſpirators rendered James more violent in his proceedings againſt them. As they had all refuſed to accept of pardon upon the terms

[k] Melv. 279. [l] Melv. 293. Cald. iii. 258. Jebb, ii. 536.

BOOK VI. 1583.

which he had offered, they were required, by a new proclamation, to ſurrender themſelves priſoners. The earl of Angus alone complied; the reſt either fled into England, or obtained the king's licence to retire into foreign parts. A convention of eſtates was held, the members of which, deceived by an unworthy artifice of Arran's, declared thoſe concerned in the *Raid of Ruthven* to have been guilty of high treaſon; appointed the act paſſed laſt year approving of their conduct to be expunged out of the records; and engaged to ſupport the king in proſecuting the fugitives with the utmoſt rigour of law.

THE conſpirators, though far from having done any thing that was uncommon in a barbarous age, among mutinous nobles, and under an unſettled ſtate of government, muſt be acknowledged to have been guilty of an act of treaſon againſt their ſovereign; and James, who conſidered their conduct in this light, had good reaſon to boaſt of his clemency, when he offered to pardon them upon their confeſſing their crime. But, on the other hand, it muſt be allowed that, after the king's voluntary promiſe of a general oblivion, they had ſome reaſon to complain of breach of faith, and, without the moſt unpardonable imprudence, could not have put their lives in Arran's power.

1584. The clergy favour the conſpirators, and irritate the king.

THE intereſt of the church was conſiderably affected by theſe contrary revolutions. While the conſpirators kept poſſeſſion of power, the clergy not only recovered, but extended, their privileges. As they had formerly declared the hierarchy to be unlawful, they took ſome bold meaſures towards exterminating the epiſcopal order out of the church; and it was owing more to Adamſon's dexterity in perplexing and lengthening out the proceſs for that purpoſe, than to their own want of zeal, that they did not deprive, and perhaps excommunicate, all the biſhops in Scotland. When the king recovered his liberty, things put on a very different aſpect. The favour beſtowed upon Arran, the enemy of every thing decent and ſacred, and the rigorous proſecution of thoſe nobles who had been the moſt zealous defenders of the proteſtant cauſe, were conſidered as ſure preſages of the approaching ruin of the church. The clergy could not conceal their apprehenſions, nor view this impending danger in ſilence. Drury, who had been reſtored to his office as one of the miniſters of Edinburgh, openly applauded the *Raid of Ruthven* in the pulpit, at which the king was ſo enraged, that notwithſtanding ſome ſymptoms of his ſubmiſſion, he commanded him to reſign his charge in the city. Mr. Andrew

drew Melvil, being ſummoned before the privy council, to BOOK VII. 1584. anſwer for the doctrine which he had uttered in a ſermon at St Andrew's, and accuſed of comparing the preſent grievances of the nation with thoſe under James III. and of intimating obliquely that they ought to be redreſſed in the ſame manner, thought it incumbent on him to behave with great firmneſs. He declined the juriſdiction of a civil court, in a cauſe which he maintained to be purely eccleſiaſtical; the preſbytery, of which he was a member, had, as he contended, the ſole right to call him to account for words ſpoken in the pulpit; and neither the king nor council could judge, in the firſt inſtance, of the doctrine delivered by preachers, without violating the immunities of the church. This exemption from civil juriſdiction was a privilege which the popiſh eccleſiaſtics, admirable judges of whatever contributed to increaſe the luſtre or power of their body, had long ſtruggled for, and had at laſt obtained. If the ſame plea had now been admitted, the proteſtant clergy would have become independent on the civil magiſtrate; and an order of men extremely uſeful to ſociety while they inculcate thoſe duties which tend to promote its happineſs and tranquillity, might have become no leſs pernicious, by teaching, without fear or control, the moſt dangerous principles, or by exciting their hearers to the moſt deſperate and lawleſs actions. The king, jealous to exceſs of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he reſolved to puniſh him with the rigour which that pre-eminence rendered neceſſary, and to diſcourage, by a timely ſeverity, the revival of ſuch a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits reſounded with complaints that the king had extinguiſhed the light of learning in the kingdom, and deprived the church of the ableſt and moſt faithful guardian of its liberties and diſcipline [m].

These violent declamations of the clergy againſt the meaſures of the court were extremely acceptable to the people. The conſpirators, though driven out of the kingdom, ſtill poſſeſſed great influence there; and as they had every thing to fear from the reſentment of a young prince, irritated by the furious counſels of Arran, they never ceaſed ſoliciting their adherents to take arms in their defence. Gowrie, the only perſon among them who had ſubmitted to the king, and

[m] Spotſw. 330. Calд. iii. 304.

accepted

BOOK VI. 1584.

accepted of a pardon, ſoon repented of a ſtep which loſt him the eſteem of one party, without gaining the confidence of the other; and, after ſuffering many mortifications from the king's neglect and the haughtineſs of Arran, he was at laſt commanded to leave Scotland, and to reſide in France. While he waited at Dundee for an opportunity to embark, he was informed that the earls of Angus, Mar, and the tutor of Glamis, had concerted a ſcheme for ſurpriſing the caſtle of Stirling. In his ſituation, little perſuaſion was neceſſary to draw him to engage in it. Under various pretexts he put off his voyage, and lay ready to take arms on the day fixed by the conſpirators for the execution of their enterpriſe. His lingering ſo long at Dundee, without any apparent reaſon, awakened the ſuſpicion of the court, proved fatal to himſelf, and diſappointed the ſucceſs of the conſpiracy. Colonel William Stewart ſurrounded the houſe where he lodged with a body of ſoldiers, and, in ſpite of his reſiſtance, took him priſoner. Two days after, Angus, Mar, and Glamis ſeized the caſtle of Stirling, and erecting their ſtandard there, publiſhed a manifeſto, declaring that they took arms for no other reaſon but to remove from the king's preſence a minion who had acquired power by the moſt unworthy actions, and who exerciſed it with the moſt intolerable inſolence. The account of Gowrie's impriſonment ſtruck a damp upon their ſpirits. They imputed it to treachery on his part, and ſuſpected, that as he had formerly deſerted, he had now betrayed them. At the ſame time Elizabeth having neglected to ſupply them in due time with a ſum of money, which ſhe had promiſed to them, and their friends and vaſſals coming in ſlowly, they appeared irreſolute and diſheartened; and as the king, who acted with great vigour, advanced towards them at the head of twenty thouſand men, they fled precipitately towards England, and with difficulty made their eſcape [n]. This raſh and feeble attempt produced ſuch effects as uſually follow diſappointed conſpiracies. It not only hurt the cauſe for which it was undertaken, but added ſtrength and reputation to the king; confirmed Arran's power; and enabled them to purſue their meaſures with more boldneſs and greater ſucceſs. Gowrie was the firſt victim of their reſentment. After a very informal trial, a jury of peers found him guilty of treaſon, and he was publicly beheaded at Stirling.

[n] Home's Hiſt. of Houſe of Dougl. 376. Spotſw. 330. Calderw. iii. 324, &c.

To

BOOK VI. 1584.

To humble the church was the king's next ſtep. But as it became neceſſary, for this purpoſe, to call in the aid of the legiſlative authority, a parliament was haſtily ſummoned: and while ſo many of the nobles were baniſhed out of the kingdom, or forbidden to appear in the king's preſence; while Arran's haughtineſs kept ſome at a diſtance, and intimidated others; the meeting conſiſted only of thoſe who were abſolutely at the devotion of the court. In order to conceal the laws which were framing from the knowledge of the clergy, the lords of the articles were ſworn to ſecrecy; and when ſome of the miniſters, who either ſuſpected or were informed of the danger, deputed one of their number to declare their apprehenſions to the king, he was ſeized at the palace-gate, and carried to a diſtant priſon. Others, attempting to enter the parliament-houſe, were refuſed admittance [o]; and ſuch laws were paſſed, as totally overturned the conſtitution and diſcipline of the church. The refuſing to acknowledge the juriſdiction of the privy council; the pretending an exemption from the authority of the civil courts; the attempting to diminiſh the rights and privileges of any of the three eſtates in parliament, were declared to be high treaſon. The holding aſſemblies, whether civil or eccleſiaſtical, without the king's permiſſion or appointment; the uttering, either privately or publicly, in ſermons or in declamations, any falſe and ſcandalous reports againſt the king, his anceſtors, or miniſters, were pronounced capital crimes [p].

May 22. A parliament held.

Severe laws againſt the church.

May 22.

When theſe laws were publiſhed at the croſs of Edinburgh, according to the ancient cuſtom, Mr. Robert Pont, miniſter of St. Cuthbert's and one of the lords of ſeſſion, ſolemnly proteſted againſt them, in the name of his brethren, becauſe they had been paſſed without the knowledge or conſent of the church. Ever ſince the Reformation, the pulpits and eccleſiaſtical judicatories had both been eſteemed ſacred. In the former, the clergy had been accuſtomed to cenſure and admoniſh with unbounded liberty. In the latter, they exerciſed an uncontrolled and independent juriſdiction. The blow was now aimed at both theſe privileges. Theſe new ſtatutes were calculated to render churchmen as inconſiderable as they were indigent; and as the avarice of the nobles had ſtripped them of the wealth, the king's ambition was about to deprive them of the power, which once belonged to their order. No wonder the alarm was univerſal, and the complaints loud. All the miniſters of Edinburgh

[o] Cald. iii. 365. [p] Parl. 8 Jac. VI.

forſook

BOOK VI. 1584. forſook their charge, and fled into England. The moſt eminent clergymen throughout the kingdom imitated their example. Deſolation and aſtoniſhment appeared in every part of the Scottiſh church; the people bewailed the loſs of paſtors whom they eſteemed; and full of conſternation at an event ſo unexpected, openly expreſſed their rage againſt Arran, and began to ſuſpect the king himſelf to be an enemy to the reformed religion[q].

[q] Spotſw. 333.

BOOK VII.

BOOK VII.

1584. Throkmorton's conſpiracy againſt Elizabeth.

WHILE Scotland was torn by inteſtine factions, Elizabeth was alarmed with the rumour of a project in agitation for ſetting Mary at liberty. Francis Throkmorton, a Cheſhire gentleman, was ſuſpected of being deeply concerned in the deſign, and on that ſuſpicion he was taken into cuſtody. Among his papers were found two liſts, one of the principal harbours in the kingdom, with an account of their ſituation, and of the depth of water in each; the other, of all the eminent Roman catholics in England. This circumſtance confirmed the ſuſpicion againſt him, and ſome dark and deſperate conſpiracy was ſuppoſed juſt ready to break out. At firſt he boldly avowed his innocence, and declared that the two papers were forged by the queen's miniſters, in order to intimidate or enſnare him; and he even endured the rack with the utmoſt fortitude. But being brought a ſecond time to the place of torture, his reſolution failed him, and he not only acknowledged that he had held a ſecret correſpondence with the queen of Scots, but diſcovered a deſign that was formed to invade England. The duke of Guiſe, he ſaid, undertook to furniſh troops, and to conduct the enterpriſe. The pope and king of Spain were to ſupply the money neceſſary for carrying it on; all the Engliſh exiles were eager to take arms; many of the catholics at home would be ready to join them at their landing; Mendoza, the Spaniſh ambaſſador, who was the life of the conſpiracy, ſpared no pains in fomenting the ſpirit of diſaffection among the Engliſh, or in haſtening the preparations on the continent; and by his command, he made the two liſts, the copies whereof had been found in his poſſeſſion. This confeſſion he retracted at his trial; returned to it again after ſentence was paſſed upon him; and retracted it once more at the place of execution [a].

To us in the preſent age, who are aſſiſted in forming our opinion of this matter by the light which time and hiſtory have thrown upon the deſigns and characters of the princes of Guiſe, many circumſtances of Throkmorton's confeſſion appear to be extremely remote from truth, or even from probability. The duke of Guiſe was, at that juncture, far from being in a ſituation to undertake foreign conqueſts. With-

[a] Hollingſhead, 1370.

BOOK VII. 1584.

out either power or office at court; hated by the king, and perſecuted by the favourites; he had no leiſure for any thoughts of diſturbing the quiet of neighbouring ſtates; his vaſt and ambitious mind was wholly occupied in laying the foundation of that famous league which ſhook the throne of France. But at the time when Elizabeth detected this conſpiracy, the cloſe union between the houſe of Guiſe and Philip was remarkable to all Europe; and as their great enterpriſe againſt Henry III. was not yet diſcloſed, as they endeavoured to conceal that under their threatenings to invade England, Throkmorton's diſcovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wiſhed her downfal, thought that ſhe could not guard her kingdom with too much care. The indiſcreet zeal of the Engliſh exiles increaſed her fears. Not ſatisfied with inceſſant outcries againſt her ſeverity towards the Scottiſh queen, and her cruel perſecution of her catholic ſubjects, not thinking it enough that one pope had threatened her with the ſentence of excommunication, and another had actually pronounced it, they now began to diſperſe books and writings, in which they endeavoured to perſuade their diſciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her as Judith did Holofernes, and, by ſuch an illuſtrious deed, to render their own names honourable and ſacred in the church throughout all future ages[b]. For all theſe reaſons, Elizabeth not only inflicted the puniſhment of a traitor on Throkmorton, but commanded the Spaniſh ambaſſador inſtantly to leave England; and that ſhe might be in no danger of being attacked within the iſland, ſhe determined to uſe her utmoſt efforts, in order to recover that influence over the Scottiſh councils, which ſhe had for ſome time entirely loſt.

Deſigns of Mary's adherents againſt Elizabeth.

She endeavours to re-eſtabliſh her influence in Scotland, by gaining Arran.

THERE were three different methods by which Elizabeth might hope to accompliſh this; either by furniſhing ſuch effectual aid to the baniſhed nobles, as would enable them to reſume the chief direction of affairs; or by entering into ſuch a treaty with Mary, as might intimidate her ſon, who being now accuſtomed to govern, would be apt to agree to any terms rather than reſign the ſceptre, or admit an aſſociate in the throne; or by gaining the earl of Arran, to ſecure the direction of the king his maſter. The laſt was not only the eaſieſt and ſpeedieſt, but moſt likely to be ſucceſsful. This Elizabeth reſolved to purſue; but without laying

[b] Camd. 497.

the other two altogether aſide. With this view ſhe ſent Davilon, one of her principal ſecretaries, a man of abilities and addreſs, into Scotland. A miniſter ſo venal as Arran, hated by his own countrymen, and holding his power by the moſt precarious of all tenures, the favour of a young prince, accepted Elizabeth's offers without heſitation, and deemed the acquiſition of her protection to be the moſt ſolid foundation of his own greatneſs. Soon after he conſented to an interview with lord Hunſdon, the governor of Berwick, and being honoured with the pompous title of lieutenant general for the king, he appeared at the place appointed with a ſplendid train. In Hunſdon's preſence he renewed his promiſes of an inviolable and faithful attachment to the Engliſh intereſt, and aſſured him that James ſhould enter into no negociation which might tend to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the ſame fears and jealouſies concerning the king's marriage, which had formerly diſquieted her with regard to his mother's, he undertook to prevent James from liſtening to any overture of that kind, until he had previouſly obtained the queen of England's conſent [c].

1583. VII. August 13.

THE baniſhed lords and their adherents ſoon felt the effects of Arran's friendſhip with England. As Elizabeth had permitted them to take refuge in her dominions, and ſeveral of her miniſters were of opinion that ſhe ought to employ her arms in defence of their cauſe, the fear of this was the only thing which reſtrained James and his favourite from proceeding to ſuch extremities againſt them, as might have excited the pity or indignation of the Engliſh, and have prompted them to exert themſelves with vigour in their behalf. But every apprehenſion of this kind being now removed, they ventured to call a parliament, in which an act was paſſed, attainting Angus, Mar, Glamis, and a great number of their followers. Their eſtates devolved to the crown, and according to the practice of the Scottiſh monarchs, who were obliged to reward the faction which adhered to them, by dividing with it the ſpoils of the vanquiſhed, James dealt out the greater part of theſe to Arran and his aſſociates [d].

Severe proceedings againſt the baniſhed lords; August 22.

NOR was the treatment of the clergy leſs rigorous. All miniſters, readers, and profeſſors in colleges, were enjoined to ſubſcribe, within forty days, a paper teſtifying their approbation of the laws concerning the church enacted in laſt parliament. Many, overawed or corrupted by the court,

againſt the clergy.

[c] Cald. iii. 491. Melv. 315. See Append. No. X. [d] Cald. iii. 527.

BOOK VII. 1584.

yielded obedience; others ſtood out. The ſtipends of the latter were ſequeſtered, ſome of the more active committed to priſon, and numbers compelled to fly the kingdom. Thoſe who complied, fell under the ſuſpicion of acting from mercenary or ambitious motives. Thoſe who ſuffered acquired high reputation, by giving ſuch convincing evidence of their firmneſs and ſincerity. The judicatories of the church were almoſt entirely ſuppreſſed. In ſome places ſcarce as many miniſters remained, as to perform the duties of religious worſhip; they ſoon ſunk in reputation among the people, and being prohibited not only from diſcourſing of public affairs, but obliged, by the jealouſy of the adminiſtration, to frame every ſentiment and expreſſion in ſuch a manner as to give the court no offence, their ſermons were deemed languid, inſipid, and contemptible; and it became the general opinion, that together with the moſt virtuous of the nobles and the moſt faithful of the clergy, the power and vigour of religion were now baniſhed out of the kingdom[e].

MEANWHILE, Elizabeth was carrying on one of thoſe fruitleſs negotiations with the queen of Scots, which it had become almoſt matter of form to renew every year. They ſerved not only to amuſe that unhappy princeſs with ſome proſpect of liberty; but furniſhed an apology for eluding the ſolicitations of foreign powers in her behalf; and were of uſe to overawe James, by ſhewing him that ſhe could at any time ſet free a dangerous rival to diſpute his authority. Theſe treaties ſhe ſuffered to proceed to what length ſhe pleaſed, and never wanted a pretence for breaking them off, when they became no longer neceſſary. The treaty now on foot was not, perhaps, more ſincere than many which preceded it; the reaſons, however, which rendered it ineffectual were far from being frivolous.

New conſpiracy againſt Elizabeth.

As Crichton, a jeſuit, was ſailing from Flanders towards Scotland, the ſhip on board of which he was a paſſenger happened to be chaſed by pirates, who, in that age, often infeſted the narrow ſeas. Crichton, in great confuſion, tore in pieces ſome papers in his cuſtody, and threw them away; but, by a very extraordinary accident, the wind blew them back into the ſhip, and they were immediately taken up by ſome of the paſſengers, who carried them to Wade, the clerk of the privy council. He, with great induſtry and patience, joined them together, and they were found to contain the account of a plot ſaid to have been formed by the king of Spain and the duke of Guiſe, for invading England.

[e] Cald. iii. 589.

The

The people were not yet recovered from the fear and anxiety occaſioned by the conſpiracy in which Throkmorton had been engaged, and as his diſcoveries appeared now to be confirmed by additional evidence, not only all their former apprehenſions recurred, but the conſternation became general and exceſſive. As all the dangers, with which England had been threatened for ſome years, flowed either immediately from Mary herſelf, or from ſuch as made uſe of her name to juſtify their inſurrections and conſpiracies, this gradually diminiſhed the compaſſion due to her ſituation, and the Engliſh, inſtead of pitying, began to fear and to hate her. Elizabeth, under whoſe wiſe and pacific reign the Engliſh enjoyed tranquillity, and had opened ſources of wealth unknown to their anceſtors, was extremely beloved by all her people; and regard to her ſafety, not leſs than to their own intereſt, animated them againſt the Scottiſh queen. In order to diſcourage her adherents, it was thought neceſſary to convince them, by ſome public deed, of the attachment of the Engliſh to their own ſovereign, and that any attempt againſt her life would prove fatal to her rival. With this view an *Aſſociation* was framed, the ſubſcribers of which bound themſelves by the moſt ſolemn oaths, "to "defend the queen againſt all her enemies, foreign and do- "meſtic; and if violence ſhould be offered to her life, in "order to favour the title of any pretender to the crown, "they not only engaged never to allow or acknowledge the "perſon or perſons by whom, or for whom, ſuch a deteſt- "able act ſhould be committed, but vowed, in the preſence "of the eternal God, to proſecute ſuch perſon or perſons to "the death, and to purſue them, with their utmoſt ven- "geance, to their utter overthrow and extirpation[f]." Perſons of all ranks ſubſcribed this combination with the greateſt eagerneſs and unanimity[g].

BOOK VII. 1584.

Occaſions an aſſociation in oppoſition to Mary; October 19.

MARY conſidered this combination, not only as an avowed deſign to exclude her from all right of ſucceſſion, but as the certain and immediate forerunner of her deſtruction. In order to avert this, ſhe made ſuch feeble efforts as were ſtill in her power, and ſent Naué, her ſecretary, to court, with offers of more entire reſignation to the will of Elizabeth, in every point, which had been the occaſion of their long enmity, than all her ſufferings hitherto had been able to extort[h]. But whether Mary adhered inflexibly to her privileges as an independent ſovereign, or, yielding to the neceſſity of her ſituation, endeavoured, by conceſſions, to ſooth

which greatly alarms her.

[f] State Trials, i. 122. [g] Camd. 499. [h] Idem ibid.

BOOK VII. 1584.

her rival, ſhe was equally unſucceſsful. Her firmneſs was imputed to obſtinacy, or to the ſecret hope of foreign aſſiſtance; her conceſſions were either believed to be inſincere, or to flow from the fear of ſome imminent danger. Her preſent willingneſs, however, to comply with any terms was ſo great, that Walſingham warmly urged his miſtreſs to come to a final agreement with her[1]. But Elizabeth was perſuaded, that it was the ſpirit raiſed by the aſſociation which had rendered her ſo paſſive and compliant. She always imagined that there was ſomething myſterious and deceitful in all Mary's actions, and ſuſpected her of carrying on a dangerous correſpondence with the Engliſh catholics both within and without the kingdom. Nor were her ſuſpicions altogether void of foundation. Mary had, about this time, written a letter to ſir Francis Ingleſield, urging him to haſten the execution of what ſhe calls the *Great Plot or Deſignment*, without heſitating on account of any danger in which it might involve her life, which ſhe would moſt willingly part with, if, by that ſacrifice, ſhe could procure relief for ſo great a number of the oppreſſed children of the church[k].

She is treated with greater rigour.

Inſtead, therefore, of hearkening to the overtures which the Scottiſh queen made, or granting any mitigation of the hardſhips of which ſhe complained, Elizabeth reſolved to take her out of the hands of the earl of Shrewſbury, and to appoint ſir Amias Paulet and ſir Drue Drury to be her keepers. Shrewſbury had diſcharged his truſt with great fidelity, during fifteen years, but, at the ſame time, had treated Mary with gentleneſs and reſpect, and had always ſweetened harſh commands by the humanity with which he put them in execution. The ſame politeneſs was not to be expected from men of an inferior rank, whoſe ſevere vigilance, perhaps, was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment[l].

Gray a new favourite of the king's.

As James was no leſs eager than ever to deprive the baniſhed nobles of Elizabeth's protection, he appointed the maſter of Gray his ambaſſador to the court of England, and intruſted him with the conduct of a negotiation for that purpoſe. For this honour he was indebted to the envy and jealouſy of the earl of Arran. Gray poſſeſſed all the talents of a courtier; a graceful perſon, an inſinuating addreſs, boundleſs ambition, and a reſtleſs and intriguing ſpirit. During his reſidence in France, he had been admitted into the moſt intimate familiarity with the duke of Guiſe, and,

[1] See Appendix, No. XI. [k] Strype, iii. 246. [l] Camd. 509.

in

in order to gain his favour, had renounced the proteſtant religion, and profeſſed the utmoſt zeal for the captive queen, who carried on a ſecret correſpondence with him, from which ſhe expected great advantages. On his return into Scotland, he paid court to James with extraordinary aſſiduity, and his accompliſhments did not fail to make their uſual impreſſion on the king's heart. Arran, who had introduced him, began quickly to dread his growing favour; and flattering himſelf, that abſence would efface any ſentiments of tenderneſs from the mind of a young prince, pointed him out, by his malicious praiſes, as the moſt proper perſon in the kingdom for an embaſſy of ſuch importance; and contributed to raiſe him to that high dignity, in order to haſten his fall. Elizabeth, who had an admirable dexterity in diſcovering the proper inſtruments for carrying on her deſigns, endeavoured, by careſſes, and by preſents, to ſecure Gray to her intereſt. The former flattered his vanity, which was great; the latter ſupplied his profuſeneſs, which was ſtill greater. He abandoned himſelf without reſerve to Elizabeth's direction, and not only undertook to retain the king under the influence of England, but acted as a ſpy upon the Scottiſh queen, and betrayed to her rival every ſecret that he could draw from her by his high pretenſions of zeal in her ſervice [m].

BOOK VII. 1583.

His intereſt with the court of England. Decem. 31.

GRAY's credit with the Engliſh court was extremely galling to the baniſhed nobles. Elizabeth no longer thought of employing her power to reſtore them; ſhe found it eaſier to govern Scotland by corrupting the king's favourites; and, in compliance with Gray's ſolicitations, ſhe commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correſpondence with their partiſans in Scotland, and almoſt impoſſible to return thither without her permiſſion. Gray, by gaining a point which James had ſo much at heart, riveted himſelf more firmly than ever in his favour; and by acquiring greater reputation, became capable of ſerving Elizabeth with greater ſucceſs [n].

1585. Arran's corruption and inſolence.

ARRAN had now poſſeſſed for ſome time all the power, the riches, and the honours, that his immoderate ambition could deſire, or the fondneſs of a prince, who ſet no limits to his liberality towards his favourites, could beſtow. The office of lord chancellor, the higheſt and moſt important in the kingdom, was conferred upon him, even during the life of the earl of Argyll, who ſucceeded Athol in that dignity [o];

[m] Strype, iii. 302. Melv. 316. [n] Cald. iii. 643. [o] Crawf. Offic. of State, App. 447.

BOOK VII. 1585.

and the public beheld, with aſtoniſhment and indignation, a man educated as a ſoldier of fortune, ignorant of law, and a contemner of juſtice, appointed to preſide in parliament, in the privy council, in the court of ſeſſion, and inſtructed with the ſupreme diſpoſal of the property of his fellow-ſubjects. He was, at the ſame time, governor of the caſtles of Stirling and Edinburgh, the two principal forts in Scotland; provoſt of the city of Edinburgh: and as if by all theſe accumulated dignities his merits were not ſufficiently recompenſed, he had been created lieutenant general over the whole kingdom. No perſon was admitted into the king's preſence without his permiſſion; no favour could be obtained but by his mediation. James, occupied with youthful amuſements, devolved upon him the whole regal authority. Such unmerited elevation increaſed his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a ſubject, but pretended to derive his pedigree from Murdo duke of Albany; and boaſted openly, that his title to the crown was preferable to that of the king himſelf. But, together with theſe thoughts of royalty, he retained the meanneſs ſuitable to his primitive indigence. His venality as a judge was ſcandalous, and was exceeded only by that of his wife, who, in deſiance of decency, made herſelf a party in almoſt every queſtion which came to be decided, employed her influence to corrupt or to overawe the judges, and almoſt openly dictated their deciſions[p]. His rapaciouſneſs as a miniſter was inſatiable. Not ſatisfied with the revenues of ſo many offices, with the eſtate and honours which belonged to the family of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his ſhare; he graſped at the poſſeſſions of ſeveral of the nobles. He required lord Maxwell to exchange part of his eſtate, for the forfeited lands of Kinneil; and becauſe he was unwilling to quit an ancient inheritance for a poſſeſſion ſo precarious, he ſtirred up againſt him his hereditary rival, the laird of Johnſton, and involved that corner of the kingdom in a civil war. He committed to priſon the earl of Athol, lord Home, and the maſter of Caſſils; the firſt, becauſe he would not divorce his wife, the daughter of the earl of Gowrie, and entail his eſtate on him; the ſecond, becauſe he was unwilling to part with ſome lands adjacent to one of Arran's eſtates; and the third, for refuſing to lend him money. His ſpies and informers filled the whole country, and intruded themſelves into

[p] Cald. iii. 331. Scotſtarvet's Staggering State, 7.

every

every company. The nearest neighbours diſtruſted and feared each other. All familiar ſociety was at an end. Even the common intercourſes of humanity were interrupted, no man knowing in whom to confide, or where to utter his complaints. There is not, perhaps, in hiſtory an example of a miniſter ſo univerſally deteſtable to a nation, or who more juſtly deſerved its deteſtation[q].

BOOK VII. 1585.

Arran, notwithſtanding, regardleſs of the ſentiments, and deſpiſing the murmurs of the people, gave a looſe to his natural temper, and proceeded to acts ſtill more violent. David Home of Argaty, and Patrick his brother, having received letters from one of the baniſhed lords, about private buſineſs, were condemned and put to death, for holding correſpondence with rebels. Cunninghame of Drumwhaſel, and Douglas of Mains, two gentlemen of honour and reputation, were accuſed of having conſpired with the exiled nobles to ſeize the king's perſon. A ſingle witneſs only appeared; the evidence they produced of their innocence was unanſwerable; their accuſer himſelf not long after acknowledged that he had been ſuborned by Arran; and all men believed the charge againſt them to be groundleſs: they were found guilty, notwithſtanding, and ſuffered the death of traitors[r]. Feb. 9.

About the ſame time that theſe gentlemen were puniſhed for a pretended conſpiracy, Elizabeth's life was endangered by a real one. Parry, a doctor of laws, and a member of the houſe of commons, a man vain and fantaſtic, but of a reſolute ſpirit, had lately been reconciled to the church of Rome; and fraught with the zeal of a new convert, he offered to demonſtrate the ſincerity of his attachment to the religion which he had embraced, by killing Elizabeth. Cardinal Allen had publiſhed a book, to prove the murder of an excommunicated prince to be not only lawful, but a meritorious action. The pope's nuncio at Venice, the jeſuits both there and at Paris, the Engliſh exiles, all approved of the deſign. The pope himſelf exhorted him to perſevere; and granted him for his encouragement, a plenary indulgence, and remiſſion of his ſins. Cardinal di Como wrote to him a letter to the ſame purpoſe. But though he often got acceſs to the queen, fear, or ſome remaining ſenſe of duty, reſtrained him from perpetrating the crime. Happily, his intention was at laſt diſcovered by Nevil, the only perſon in England to whom he had communicated it; and having March 2.

Parry's conſpiracy againſt Elizabeth.

[q] Spotſw. 337, 338. [r] Ibid. 338. Cald. iii. 794.

himſelf

BOOK VII.

1585.

himself voluntarily confessed his guilt, he suffered the punishment which it deserved[s].

A severe statute, which proved fatal to Mary.

These repeated conspiracies against their sovereign awakened the indignation of the English parliament, and produced a very extraordinary statute, which, in the end, proved fatal to the queen of Scots. By this law the association in defence of Elizabeth's life was ratified, and it was further enacted, "That if any rebellion shall be excited in the "kingdom, or any thing attempted to the hurt of her "majesty's person, *by or for* any person pretending a title "to the crown, the queen shall empower twenty-four per-"sons by a commission under the great seal, to examine into, "and pass sentence upon such offences; and after judg-"ment given, a proclamation shall be issued, declaring the "persons whom they find guilty, excluded from any right "to the crown; and her majesty's subjects may lawfully "pursue every one of them to the death, with all their "aiders and abettors: and if any design against the life of "the queen take effect, the persons *by or for* whom such a "detestable act is executed, and *their issues*, being in any "wise assenting or privy to the same, shall be disabled for "ever from pretending to the crown, and be pursued to "death in the like manner[t]." This act was plainly levelled at the queen of Scots; and whether we consider it as a voluntary expression of the zeal and concern of the nation for Elizabeth's safety, or whether we impute it to the influence which that artful princess preserved over her parliaments, it is no easy matter to reconcile it with the general principles of justice or humanity. Mary was thereby rendered accountable not only for her own actions, but for those of others; in consequence of which, she might forfeit her right of succession, and even her life itself.

The rigour with which she was treated, increased.

Mary justly considered this act as a warning to prepare for the worst extremities. Elizabeth's ministers, it is probable, had resolved by this time to take away her life; and suffered books to be published, in order to persuade the nation that this cruel and unprecedented measure was not only necessary but just[u]. Even that short period of her days which remained, they rendered uncomfortable, by every hardship and indignity which it was in their power to inflict. Almost all her servants were dismissed, she was treated no longer with the respect due to a queen; and, though the rigour of seventeen years imprisonment had

[s] State Trials, vol. i. 103. [t] Ibid. 123. [u] Strype, iii. 299.

broken

broken her conſtitution, ſhe was confined to two ruinous chambers, ſcarcely habitable, even in the middle of ſummer, by reaſon of cold. Notwithſtanding the ſcantineſs of her revenue, ſhe had been accuſtomed to diſtribute regularly ſome alms among the poor in the village adjoining to the caſtle. Paulet now refuſed her liberty to perform this pious and humane office, which had afforded her great conſolation amidſt her own ſufferings. The caſtle in which ſhe reſided was converted into a common priſon; and a young man, ſuſpected of popery, was confined there, and treated under her eye with ſuch rigour, that he died of the ill uſage. She often complained to Elizabeth of theſe multiplied injuries, and expoſtulated as became a woman and a queen; but as no political reaſon now obliged that princeſs to amuſe her any longer with fallacious hopes, far from granting her any redreſs, ſhe did not even deign to give her any anſwer. The king of France, cloſely allied to Elizabeth, on whom he depended for aſſiſtance againſt his rebellious ſubjects, was afraid of eſpouſing Mary's cauſe with any warmth; and all his ſolicitations in her behalf were feeble, formal, and inefficacious. But Caſtelnau, the French ambaſſador, whoſe compaſſion and zeal for the unhappy queen ſupplied the defects in his inſtructions, remonſtrated with ſuch vigour againſt the indignities to which ſhe was expoſed, that, by his importunity, he prevailed at length to have her removed to Tuthbury; though ſhe was confined the greater part of another winter in her preſent wretched habitation[x].

BOOK VIII. 1585.

NEITHER the inſults of her enemies, nor the neglect of her friends, made ſuch an impreſſion on Mary, as the ingratitude of her ſon. James had hitherto treated his mother with filial reſpect, and had even entered into negotiations with her, which gave umbrage to Elizabeth. But as it was not her intereſt that his good correſpondence ſhould continue, Gray, who, on his return into Scotland, found his favour with the king greatly increaſed by the ſucceſs of his embaſſy, perſuaded him to write a harſh and undutiful letter to his mother, in which he expreſsly refuſed to acknowledge her to be queen of Scotland, or to conſider his affairs as connected, in any wiſe, with hers. This cruel requital of her maternal tenderneſs overwhelmed Mary with ſorrow and deſpair. "Was it for this," ſaid ſhe, in a letter to the French ambaſſador, "that I have endured "ſo much, in order to preſerve for him the inheritance to

A breach between Mary and her ſon.

March 24.

[x] Jebb, v. ii. 576—598.

"which

BOOK VII. 1585.

"which I have a juſt right? I am far from envying his "authority in Scotland. I deſire no power there; nor "wiſh to ſet my foot in that kingdom, if it were not for "the pleaſure of once embracing a ſon, whom I have "hitherto loved with too tender affection. Whatever he "either enjoys or expects he derived it from me. From "him I never received aſſiſtance, ſupply, or benefit of any "kind. Let not my allies treat him any longer as a king; "he holds that dignity by my conſent; and if a ſpeedy "repentance do not appeaſe my juſt reſentment, I will "load him with a parent's curſe, and ſurrender my crown, "with all my pretenſions, to one who will receive them "with gratitude, and defend them with vigour[y]." The love which James bore to his mother, whom he had never known, and whom he had been early taught to conſider as one of the moſt abandoned perſons of her ſex, cannot be ſuppoſed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigoted attachment to popery, prompted Mary at any time to think ſeriouſly of diſinheriting her ſon; or whether theſe threatenings were uttered in a ſudden ſally of diſappointed affection, it is now no eaſy matter to determine. Some papers which are ſtill extant ſeem to render the former not improbable[z].

Dangerous ſituation of Elizabeth;

CARES of another kind, and no leſs diſquieting, occupied Elizabeth's thoughts. The calm which ſhe had long enjoyed, ſeemed now to be at an end; and ſuch ſtorms were gathering in every quarter, as filled her with juſt alarm. All the neighbouring nations had undergone revolutions extremely to her diſadvantage. The great qualities which Henry III. had diſplayed in his youth, and which raiſed the expectations of his ſubjects ſo high, vaniſhed on his aſcending the throne; and his acquiring ſupreme power ſeems not only to have corrupted his heart, but to have impaired his underſtanding. He ſoon loſt the eſteem and affection of the nation; and a life divided between the auſterities of a ſuperſtitious devotion, and the extravagancies of the moſt diſſolute debauchery, rendered him as contemptible as he was odious on account of his rapaciouſneſs, his profuſion, and the fondneſs with which he doated on many unworthy minions. On the death of his only brother, thoſe ſentiments of the people burſt out with violence. Henry had no children, and though but thirty-two years of age, the

[y] Murdin, 566. Jebb, ii. 571. See Append. No. XII.
[z] See Append. No. XIII.

ſucceſſion

ſucceſſion of the crown was already conſidered as open. The king of Navarre, a diſtant deſcendant of the royal family, but the undoubted heir to the crown, was a zealous proteſtant. The proſpect of an event ſo fatal to their religion, as his aſcending the throne of France, alarmed all the catholics in Europe; and the duke of Guiſe, countenanced by the pope, and aided by the king of Spain, appeared as the defender of the Romiſh faith, and the aſſerter of the cardinal of Bourbon's right to the crown. In order to unite the party, a bond of confederacy was formed, diſtinguiſhed by the name of the *Holy League*. All ranks of men joined in it with emulation. The ſpirit ſpread with the irreſiſtible rapidity which was natural to religious paſſions in that age. The deſtruction of the Reformation, not only in France, but all over Europe, ſeemed to be the object and wiſh of the whole party; and the duke of Guiſe, the head of this mighty and zealous body, acquired authority in the kingdom, far ſuperior to that which the king himſelf poſſeſſed. Philip II. by the conqueſt of Portugal, had greatly increaſed the naval power of Spain, and had at laſt reduced under his dominion all that portion of the continent which lies beyond the Pyrenean mountains, and which nature ſeems to have deſtined to form one great monarchy. William prince of Orange, who firſt encouraged the inhabitants of the Netherlands to aſſert their liberties, and whoſe wiſdom and valour formed and protected the riſing commonwealth, had fallen by the hands of an aſſaſſin. The ſuperior genius of the prince of Parma had given an entire turn to the fate of the war in the Low Countries; all his enterpriſes, concerted with conſummate ſkill, and executed with equal bravery, had been attended with ſucceſs; and the Dutch, reduced to the laſt extremity, were on the point of falling under the dominion of their ancient maſter.

B. O. Q. Eliz. VII. 1585. from the progreſs of the League; from the power of Philip II.

None of thoſe circumſtances, to which Elizabeth had hitherto owed her ſecurity, exiſted any longer. She could derive no advantage from the jealouſy which had ſubſiſted between France and Spain; Philip, by means of his confederacy with the duke of Guiſe, had an equal ſway in the councils of both kingdoms. The hugonots were unable to contend with the power of the league; and little could be expected from any diverſion they might create. Nor was it probable that the Netherlands could long employ the arms, or divide the ſtrength of Spain. In this ſituation of the affairs of Europe, it became neceſſary for Elizabeth to form a new plan of conduct; and her wiſdom in

Her wiſe and vigorous conduct.

BOOK VII. 1585.

forming it was not greater than the vigour with which she carried it on. The measures most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those which she now adopted were enterprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness which averted danger from her own dominions. She immediately furnished the hugonots with a considerable supply in money. She carried on a private negotiation with Henry III. who, though compelled to join the league, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the protestant princes, in opposition to the popish league. She determined to proceed with the utmost rigour against the queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours, in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

Resolves to punish Mary, and to gain the king.

She found it no difficult matter to induce most of the Scottish courtiers to promote all her designs. Gray, sir John Maitland, who had been advanced to the office of secretary, which his brother formerly held, sir Lewis Bellenden, the justice clerk, who had succeeded Gray as the king's resident at London, were the persons in whom she chiefly confided. In order to direct and quicken their motions, she dispatched sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred, and entertaining; he excelled in all the exercises for which James had a passion, and amused the young king by relating the adventures which he had met with, and the observations he had made during a long residence in foreign countries; but under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James, and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which was indecent for a stranger to possess[a].

May 29.

Nothing, however, could be more acceptable to the nation, than the proposal he made of a strict alliance between

Proposes a league with Scotland.

[a] Melv. 317.

the

the two kingdoms, in defence of the reformed religion. The rapid and alarming progress of the popish league seemed to call on all protestant princes to unite for the preservation of their common faith. James embraced the overture with warmth, and a convention of estates empowered him to conclude such a treaty, and engaged to ratify it in parliament [b]. The alacrity with which James concurred in this measure must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Elizabeth's liberality. As a mark of her motherly affection for the young king, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her before she ascended the throne. This circumstance, which she took care to mention, rendered a sum, which in that age was far from being inconsiderable, a very acceptable present to the king, whose revenues, during a long minority, had been almost totally dissipated [c].

B. 6. C. VII. 1583. July 29.

But the chief objection of Wotton's intrigues was to ruin Arran. While a minion so odious to the nation continued to govern the king, his assistance could be of little advantage to Elizabeth. And though Arran, ever since his interview with Hunsdon, had appeared extremely for her interest, she could place no great confidence in a man whose conduct was so capricious and irregular, and who, notwithstanding his protestations to the contrary, still continued a secret correspondence both with Mary and with the duke of Guise. The banished lords were attached to England from affection as well as principle, and were the only persons among the Scots whom, in any dangerous exigency, she could thoroughly trust. Before Bellenden left London, they had been summoned thither, under colour of vindicating themselves from his accusations, but, in reality, to concert with him the most proper measures for restoring them to their country. Wotton pursued this plan, and endeavoured to ripen it for execution; and it was greatly facilitated by an event neither uncommon nor considerable. Sir John Forster, and Ker of Fernihirst, the English and Scottish wardens of the middle marches, having met, according to the custom of the borders, about midsummer, a fray arose, and lord Russel, the earl of Bedford's eldest son, happened to be killed. This scuffle was purely accidental, but Elizabeth chose to consider it as a design formed by Ker, at the instigation of Arran, to involve the two kingdoms in war. She insisted that both should be delivered up to her; and though James eluded

Undermines Arran's power.

[b] Spotsw. 339. [c] Cald. iii. 505.

that

BOOK VII.

1585.

that demand, he was obliged to confine Arran in St. Andrew's, and Ker in Aberdeen. During his abſence from court, Wotton and his aſſociates carried on their intrigues without interruption. By their advice, the baniſhed nobles endeavoured to accommodate their differences with lord John and lord Claud, the duke of Chatelherault's two ſons, whom Morton's violence had driven out of the kingdom. Their common ſufferings, and common intereſt, induced both parties to bury in oblivion the ancient diſcord which had ſubſiſted between the houſes of Hamilton and Douglas. By Elizabeth's permiſſion, they returned in a body to the borders of Scotland. Arran, who had again recovered favour, inſiſted on putting the kingdom in a poſture of defence: but Gray, Bellenden, and Maitland ſecretly thwarted all his meaſures. Some neceſſary orders they prevented from being iſſued; others they rendered ineffectual by the manner of execution; and all of them were obeyed ſlowly, and with reluctance [d].

Aſſiſts the baniſhed nobles.

Oct. 16.

WOTTON's fertile brain was, at the ſame time, big with another and more dangerous plot. He had contrived to ſeize the king, and to carry him by force into England. But the deſign was happily diſcovered; and, in order to avoid the puniſhment his treachery merited, he departed without taking leave [e].

They return into Scotland, and are reconciled to the king.

MEANWHILE the baniſhed lords haſtened the execution of their enterpriſe; and as their friends and vaſſals were now ready to join them, they entered Scotland. Wherever they came, they were welcomed as the deliverers of their country, and the moſt fervent prayers were addreſſed to heaven for the ſucceſs of their arms. They advanced, without loſing a moment, towards Stirling, at the head of ten thouſand men. The king, though he had aſſembled an army ſuperior in number, could not venture to meet them in the field, with troops whoſe loyalty was extremely dubious, and who at beſt were far from being hearty in the cauſe; nor was either the town or caſtle provided for a ſiege. The gates, however, of both were ſhut, and the nobles encamped at St. Ninian's. That ſame night they ſurpriſed the town, or more probably it was betrayed into their hands; and Arran, who had undertaken to defend it, was obliged to ſave himſelf by a precipitate flight. Next morning they inveſted the caſtle, in which there were not proviſions for twenty-four hours; and James was neceſſitated immediately to hearken to terms of accommodation. They were not ſo elated with

Nov. 2.

[d] Spotſw. 340. [e] Melv. 335.

ſucceſs

ſucceſs as to urge extravagant demands, nor was the king unwilling to make every reaſonable conceſſion. They obtained a pardon, in the moſt ample form, of all the offences which they had committed; the principal forts in the kingdom were, by way of ſecurity, put into their hands; Crawford, Montroſe, and colonel Stewart, were removed from the king's preſence; and a parliament was called, in order to eſtabliſh tranquillity in the nation[f].

1585.

A parliament. Dec. 10.

THOUGH a great majority in this parliament conſiſted of the confederate nobles and their adherents, they were far from diſcovering a vindictive ſpirit. Satisfied with procuring an act, reſtoring them to their ancient honours and eſtates, and ratifying the pardon granted by the king, they ſeemed willing to forget all paſt errors in the adminiſtration, and ſpared James the mortification of ſeeing his miniſters branded with any public note of infamy. Arran alone, deprived of all his honours, ſtripped of his borrowed ſpoils, and declared an enemy to his country by public proclamation, ſunk back into obſcurity, and muſt henceforth be mentioned by his primitive title of captain James Stewart. As he had been, during his unmerited proſperity, the object of the hatred and indignation of his countrymen, they beheld his fall without pity, nor did all his ſufferings mitigate their reſentment in the leaſt degree.

Church affairs.

THE clergy were the only body of men who obtained no redreſs of their grievances by this revolution. The confederate nobles had all along affected to be conſidered as guardians of the privileges and diſcipline of the church. In all their manifeſtos they had declared their reſolution to reſtore theſe, and by that popular pretence had gained many friends. It was now natural to expect ſome fruit of theſe promiſes, and ſome returns of gratitude towards many of the moſt eminent preachers who had ſuffered in their cauſe, and who demanded the repeal of the laws paſſed the preceding year. The king, however, was reſolute to maintain theſe laws in full authority; and as the nobles were extremely ſolicitous not to diſguſt him, by inſiſting on any diſagreeable requeſt, the claims of the church in this, as well as in many former inſtances, were ſacrificed to the intereſt of the laity. The miniſters gave vent to their indignation in the pulpit, and their impatience under the diſappointment broke out in ſome expreſſions extremely diſreſpectful even towards the king himſelf[g].

[f] Cald. iii. 795. [g] Spotſw. 343.

BOOK VII.

1586. The archbiſhop of St. Andrew's, too, felt the effects of their anger. The provincial ſynod of Fife ſummoned him to appear, and to anſwer for his contempt of the decrees of former aſſemblies, in preſuming to exerciſe the function of a biſhop. Though he refuſed to acknowledge the juriſdiction of the court, and appealed from it to the king, a ſentence of excommunication, equally indecent and irregular, was pronounced againſt him. Adamſon, with no leſs indecency, thundered his archiepiſcopal excommunication againſt Melvil, and ſome other of his opponents.

April 13. Soon after, a general aſſembly was held, in which the king, with ſome difficulty, obtained an act, permitting the name and office of biſhop ſtill to continue in the church. The power of the order, however, was conſiderably retrenched. The exerciſe of diſcipline, and the inſpection of the life and doctrine of the clergy, were committed to preſbyteries, in which biſhops ſhould be allowed no other preeminence but that of preſiding as perpetual moderators. They themſelves were declared to be ſubject, in the ſame manner as other paſtors, to the juriſdiction of the general aſſembly. As the diſcuſſion of the archbiſhop's appeal might have kindled unuſual heats in the aſſembly, that affair was terminated by a compromiſe. He renounced any claim of ſupremacy over the church, and promiſed to demean himſelf ſuitably to the character of a biſhop, as deſcribed by St. Paul. The aſſembly, without examining the foundations of the ſentence of excommunication, declared that it ſhould be held of no effect, and reſtored him to all the privileges which he enjoyed before it was pronounced. Notwithſtanding the extraordinary tenderneſs ſhewn for the honour of the ſynod, and the delicacy and reſpect with which its juriſdiction was treated, ſeveral members were ſo zealous as to proteſt againſt this deciſion [b].

A league with England concluded.

The court of Scotland was now filled with perſons ſo warmly attached to Elizabeth, that the league between the two kingdoms, which had been propoſed laſt year, met with no interruption, but from D'Eſneval the French envoy. James himſelf firſt offered to renew the negotiation. Elizabeth did not ſuffer ſuch a favourable opportunity to ſlip, and inſtantly diſpatched Randolph to conclude a treaty, which ſhe ſo much deſired. The danger to which the proteſtant religion was expoſed, by the late combination of the popiſh powers for its deſtruction, and the neceſſity of a ſtrict confederacy among thoſe who had embraced the Re-

July 5.

[b] Cald. iii. 894. Spotſw. 346.

formation,

formation, in order to obſtruct their pernicious deſigns, were mentioned as the foundation of the league. The chief articles in it were, that both parties ſhould bind themſelves to defend the evangelic religion; that the league ſhould be offenſive and defenſive againſt all who ſhall endeavour to diſturb the exerciſe of religion in either kingdom; that if one of the two parties be invaded, the other, notwithſtanding any former alliance, ſhould not, directly or indirectly, aſſiſt the invader; that if England be invaded in any part remote from Scotland, James ſhould aſſiſt the queen with two thouſand horſe and five thouſand foot; that if the enemy landed or approached within ſixty miles of Scotland, the king ſhould take the field with his whole forces, in the ſame manner as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it ſhould be invaded. At the ſame time ſhe aſſured the king that no ſtep ſhould be taken, which might derogate in any degree from his pretenſions to the Engliſh crown[k]. Elizabeth expreſſed great ſatisfaction with a treaty, which rendered Scotland an uſeful ally, inſtead of a dangerous neighbour, and afforded her a degree of ſecurity on that ſide, which all her anceſtors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the bleſſings of peace, which both kingdoms had enjoyed during a conſiderable period, had ſo far abated the violence of national antipathy, that the king's conduct was univerſally acceptable to his own people[k].

1588.

THE acquittal of Archibald Douglas, at this time, expoſed James to much and deſerved cenſure. This man was deeply engaged in the conſpiracy againſt the life of the king his father. Both Morton and Binny one of his own ſervants, who ſuffered for that crime, had accuſed him of being preſent at the murder[l]. He had eſcaped puniſhment by flying into England, and James had often required Elizabeth to deliver up a perſon ſo unworthy of her protection. He now obtained a licence, from the king himſelf, to return into Scotland; and after undergoing a mock-trial, calculated to conceal, rather than to detect his guilt, he was not only taken into favour by the king, but ſent back to the court of England, with the honourable character of his ambaſſador. James was now of ſuch an age, that his youth and inexperience cannot be pleaded in excuſe for this indecent tranſaction. It muſt be imputed to the exceſſive facility of his

[k] Spotſw. 351. [k] Camd. 513.
[l] See Append. No. XIV. Arnot, Crim. Trials, 7, &c.

BOOK VII

temper, which often led him to gratify his courtiers at the expence of his own dignity and reputation[m].

1586. Rise of Babington's conspiracy against Elizabeth.

Not long after, the inconsiderate affection of the English catholics towards Mary, and their implacable resentment against Elizabeth, gave rise to a conspiracy which proved fatal to the one queen, left an indelible stain on the reputation of the other, and presented a spectacle to Europe, of which there had been hitherto no example in the history of mankind.

Doctor Gifford, Gilbert Gifford, and Hodgson, priests educated in the seminary at Rheims, had adopted an extravagant and enthusiastic notion, that the bull of Pius V. against Elizabeth was dictated immediately by the Holy Ghost. This wild opinion they instilled into Savage, an officer in the Spanish army, noted for his furious zeal and daring courage; and persuaded him that no service could be so acceptable to Heaven, as to take away the life of an excommunicated heretic. Savage, eager to obtain the

April 26. crown of martyrdom, bound himself by a solemn vow to kill Elizabeth. Ballard, a pragmatical priest of that seminary, had at that time come over to Paris, and solicited Mendoza, the Spanish ambassador there, to procure an invasion of England, while the affairs of the league were so prosperous, and the kingdom left naked by sending so many of the queen's best troops into the Netherlands. Paget and the English exiles demonstrated the fruitlessness of such an attempt, unless Elizabeth were first cut off, or the invaders secured of a powerful concurrence on their landing. If it could be hoped that either of these events would happen, effectual aid was promised; and in the mean time Ballard was sent back to renew his intrigues.

May 15. He communicated his designs to Anthony Babington, a young gentleman in Derbyshire, of a large fortune, and many amiable qualities, who having contracted, during his residence in France, a familiarity with the archbishop of Glasgow, had been recommended by him to the queen of Scots. He concurred with Paget, in considering the death of Elizabeth as a necessary preliminary to any invasion. Ballard gave him hopes that an end would soon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to strike the blow. But Babington thought the attempt of too much importance, to rely on a single hand for the execution of it, and proposed that five resolute gentlemen should be joined with

[m] Spotsw. 348. Camd. iii. 917.

Savage

Savage in an enterprise, the success of which was the foundation of all their hopes. He offered to find out persons willing to undertake the service, whose honour, secrecy, and courage they might safely trust. He accordingly opened the matter to Edward Windsor, Thomas Salisbury, Charles Tilney, Chidiock Tichbourne, Robert Gage, John Travers, Robert Barnwell, John Charnock, Henry Dun, John Jones, and Robert Polly; all of them, except Polly, whose bustling forward zeal introduced him into their society, gentlemen of good families, united together in the bonds of private friendship, strengthened by the more powerful tie of religious zeal. Many consultations were held; their plan of operations was at last settled; and their different parts assigned. Babington himself was appointed to rescue the queen of Scots; Salisbury, with some others, undertook to excite several counties to take arms; the murder of the queen, the most dangerous and important service of all, fell to Tichbourne and Savage, with four associates. So totally had their bigoted prejudices extinguished the principles of honour, and the sentiments of humanity suitable to their rank, that, without scruple or compunction, they undertook an action which is viewed with horror, even when committed by the meanest and most profligate of mankind. This attempt, on the contrary, appeared to them no less honourable than it was desperate; and in order to perpetuate the memory of it, they had a picture drawn containing the portraits of the six assassins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in some hazardous design.

June. The scheme of the conspirators.

The conspirators, as appears by this wanton and imprudent instance of vanity, seem to have thought a discovery scarcely possible, and neither distrusted the fidelity of their companions, nor doubted the success of their undertaking. But while they believed that their machinations were carried on with the most profound and impenetrable secrecy, every step they took was fully known to Walsingham. Polly was one of his spies, and had entered into the conspiracy, with no other design than to betray his associates. Gilbert Gifford too, having been sent over to England to quicken the motions of the conspirators, had been gained by Walsingham, and gave him sure intelligence of all their projects. That vigilant minister immediately imparted the discoveries which he had made to Elizabeth; and without communicating the matter to any other of the counsellors, they agreed, in order to understand the plot

Discovered by Walsingham.

BOOK VII.

1586.

more perfectly, to wait until it was ripened into ſome form, and brought near the point of execution.

They are ſeized and puniſhed. Auguſt 4.

At laſt, Elizabeth thought it dangerous and criminal to expoſe her own life, and to tempt Providence any farther, Ballard, the prime mover in the whole conſpiracy, was arreſted. His aſſociates, diſconcerted and ſtruck with aſtoniſhment, endeavoured to ſave themſelves by flight. But within a few days, all of them, except Windſor, were ſeized in different places of the kingdom and committed to the Tower. Though they had undertaken the part, they wanted the firm and determined ſpirit of aſſaſſins; and, influenced by fear or by hope, at once confeſſed all that they knew. The indignation of the people, and their impatience to revenge ſuch an execrable combination againſt the life of their ſovereign, haſtened their trial, and all of them ſuffered the death of traitors[n].

Sept. 20. Mary is accuſed of being an accomplice in the conſpiracy.

Thus far Elizabeth's conduct may be pronounced both prudent and laudable, nor can ſhe be accuſed of violating any law of humanity, or of taking any precautions beyond what were neceſſary for her own ſafety. But a tragical ſcene followed, with regard to which poſterity will paſs a very different judgment.

The frantic zeal of a few raſh young men accounts ſufficiently for all the wild and wicked deſigns which they had formed. But this was not the light in which Elizabeth and her miniſters choſe to place the conſpiracy. They wiſhed to perſuade the nation, that Babington and his aſſociates ſhould be conſidered merely as inſtruments employed by the queen of Scots, the real though ſecret author of ſo many attempts againſt the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they aſcribed to her in ſupport of this charge. Theſe, as they gave out, had come into their hands by the following ſingular and myſterious method of conveyance. Gifford, on his return into England, had been truſted by ſome of the exiles with letters to Mary; but in order to make a trial of his fidelity and addreſs, they were only blank papers made up in that form. Theſe being ſafely delivered by him, he was afterwards employed without farther ſcruple. Walſingham having found means to gain this man, he, by the permiſſion of that miniſter, and the connivance of Paulet, bribed a tradeſman in the neighbourhood of Chartley, whither Mary had been conveyed, who depoſited the letters in a hole in the wall of the caſtle, covered with a

[n] Camd. 515. State Trials, vol. i. 110.

looſe

looſe ſtone. Thence they were taken by the queen, and in the ſame manner her anſwers returned. All theſe were carried to Walſingham, opened by him, decyphered, ſealed again ſo dexterouſly that the fraud could not be perceived, and then tranſmitted to the perſons to whom they were directed. Two letters to Babington, with ſeveral to Mendoza, Paget, Engleſield, and the Engliſh fugitives, were procured by this artifice. It was given out, that in theſe letters Mary approved of the conſpiracy, and even of the aſſaſſination; that ſhe directed them to proceed with the utmoſt circumſpection, and not to take arms until foreign auxiliaries were ready to join them; that ſhe recommended the earl of Arundel, his brothers, and the young earl of Northumberland, as proper perſons to conduct and to add reputation to their enterpriſe; that ſhe adviſed them, if poſſible, to excite at the ſame time ſome commotion in Ireland; and above all, beſought them to concert with care the means of her own eſcape, ſuggeſting to them ſeveral expedients for that purpoſe.

The indignation of the Engliſh againſt her on that account.

ALL theſe circumſtances were opened at the trial of the conſpirators; and while the nation was under the influence of thoſe terrors which the aſſociation had raiſed, and the late danger had augmented, they were believed without heſitation or inquiry, and ſpread a general alarm. Mary's zeal for her religion was well known; and in that age, examples of the violent and ſanguinary ſpirit which it inſpired were numerous. All the cabals againſt the peace of the kingdom for many years had been carried on in her name; and it now appears evidently, ſaid the Engliſh, that the ſafety of the one queen is incompatible with that of the other. Why then, added they, ſhould the tranquillity of England be ſacrificed for the ſake of a ſtranger? Why is a life ſo dear to the nation expoſed to the repeated aſſaults of an exaſperated rival? The caſe ſuppoſed in the aſſociation has now happened, the ſacred perſon of our ſovereign has been threatened, and why ſhould not an injured people execute that juſt vengeance which they had vowed?

Elizabeth reſolves to proceed to the utmoſt extremities againſt her.

No ſentiments could be more agreeable than theſe to Elizabeth and her miniſters. They themſelves had at firſt propagated them among the people, and they now ſerved both as an apology and a motive for their proceeding to ſuch extremities againſt the Scottiſh queen as they had long meditated. The more numerous the injuries were which Elizabeth had heaped on Mary, the more ſhe feared and hated that unhappy queen, and came at laſt to be perſuaded that there could be no other ſecurity for her own life, but the

BOOK VIII. 1586.

death of her rival. Burleigh and Walſingham had promoted ſo zealouſly all her meaſures with regard to Scottiſh affairs, and had acted with ſo little reſerve in oppoſition to Mary, that they had reaſon to dread the moſt violent effects of her reſentment, if ever ſhe ſhould mount the throne of England. From this additional conſideration they endeavoured, with the utmoſt earneſtneſs, to hinder an event ſo fatal to themſelves, by confirming their miſtreſs's fear and hatred of the Scottiſh queen.

Her domeſtics, papers, &c. ſeized.

MEANWHILE, Mary was guarded with unuſual vigilance, and great care was taken to keep her ignorant of the diſcovery of the conſpiracy. Sir Thomas Gorges was at laſt ſent from court to acquaint her both of it, and of the imputation with which ſhe was loaded as acceſſary to that crime; and he ſurpriſed her with the account juſt as ſhe had got on horſeback to ride out along with her keepers. She was ſtruck with aſtoniſhment, and would have returned to her apartment, but ſhe was not permitted; and in her abſence, her private cloſet was broke open, her cabinet and papers were ſeized, ſealed, and ſent up to court. Her principal domeſtics too were arreſted, and committed to different keepers. Nau and Curle, her two ſecretaries, the one a native of France, the other of Scotland, were carried priſoners to London. All the money in her cuſtody, amounting to little more than two thouſand pounds, was ſecured. And after leading her about for ſome days, from one gentleman's houſe to another, ſhe was conveyed to Fotheringay, a ſtrong caſtle in Northamptonſhire [p].

Deliberates concerning the method of proceeding.

No farther evidence could now be expected againſt Mary, and nothing remained but to decide what ſhould be her fate. With regard to this, Elizabeth, and thoſe miniſters in whom ſhe chiefly confided, ſeem to have taken their reſolution; but there was ſtill great variety of ſentiments among her other counſellors. Some thought it ſufficient to diſmiſs all Mary's attendants, and to keep her under ſuch cloſe reſtraint, as would cut off all poſſibility of correſponding with the enemies of the kingdom; and as her conſtitution, broken by long confinement, and her ſpirit dejected with ſo many cares, could not long ſupport ſuch an additional load, the queen and nation would ſoon be delivered from all their fears. But though it might be eaſy to ſecure Mary's own perſon, it was impoſſible to diminiſh the reverence which the Roman catholics had for her name, or to extinguiſh the compaſſion with which they viewed her ſufferings;

[o] See Appendix, No. XV. [p] Camd. 517.

while

while ſuch ſentiments continued, inſurrections and invaſions would never be wanting for her relief, and the only effect of any new rigour would be to render theſe attempts more frequent and more dangerous. For this reaſon the expedient was rejected.

Determines to try her publicly.

A PUBLIC and legal trial, though the moſt unexampled, was judged the moſt unexceptionable method of proceeding; and it had, at the ſame time, a ſemblance of juſtice, accompanied with an air of dignity. It was in vain to ſearch the ancient records for any ſtatute or precedent to juſtify ſuch an uncommon ſtep, as the trial of a foreign prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings againſt her were founded on the act of laſt parliament, and by applying it in this manner, the intention of thoſe who had framed that ſevere ſtatute became more apparent [q].

ELIZABETH reſolved that no circumſtance of pomp or ſolemnity ſhould be wanting, which could render this tranſaction ſuch as became the dignity of the perſon to be tried. She appointed, by a commiſſion under the great ſeal, forty perſons, the moſt illuſtrious in the kingdom by their birth or offices, together with five of the judges, to hear and decide this great cauſe. Many difficulties were ſtarted by the lawyers about the name and title by which Mary ſhould be arraigned; and while the eſſentials of juſtice were ſo groſsly violated, the empty forms of it were the objects of their care. They at length agreed that ſhe ſhould be ſtyled "Mary, daughter and heir of James V. late king "of Scots, commonly called queen of Scots and dowager "of France [r]."

AFTER the many indignities which ſhe had lately ſuffered, Mary could no longer doubt but that her deſtruction was determined. She expected every moment to end her days by poiſon, or by ſome of thoſe ſecret means uſually employed againſt captive princes. Leſt the malice of her enemies, at the ſame time that it deprived her of life, ſhould endeavour likewiſe to blaſt her reputation, ſhe wrote to the duke of Guiſe, and vindicated herſelf, in the ſtrongeſt terms, from the imputation of encouraging or of being acceſſary to the conſpiracy for aſſaſſinating Elizabeth [s]. In the ſolitude of her priſon, the ſtrange reſolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing ſo unprecedented, and ſo repugnant to regal majeſty, once enter into her thoughts.

[q] Camd. 519. Johnſt. Hiſt. 113. [r] Strype, ii. 362. [s] Jebb, ii. 283.

ON

BOOK VII.

1586. The trial at Fotheringay.

On the eleventh of October, the commiſſioners appointed by Elizabeth arrived at Fotheringay. Next morning they delivered a letter from their ſovereign to Mary, in which, after the bittereſt reproaches and accuſations, ſhe informed her, that regard for the happineſs of the nation had at laſt rendered it neceſſary to make a public inquiry into her conduct, and therefore required her, as ſhe had lived ſo long under the protection of the laws of England, to ſubmit now to the trial which they ordained to be taken of her crimes.

Mary refuſes at firſt to plead.

Mary, though ſurpriſed at this meſſage, was neither appalled at the danger, nor unmindful of her own dignity. She proteſted, in the moſt ſolemn manner, that ſhe was innocent of the crime laid to her charge, and had never countenanced any attempt againſt the life of the queen of England; but at the ſame time refuſed to acknowledge the juriſdiction of her commiſſioners. "I came into the kingdom," ſaid ſhe, "an "independent ſovereign, to implore the queen's aſſiſtance, not "to ſubject myſelf to her authority. Nor is my ſpirit ſo "broken by its paſt misfortunes, or ſo intimidated by preſent "dangers, as to ſtoop to any thing unbecoming the majeſty "of a crowned head, or that will diſgrace the anceſtors from "whom I am deſcended, and the ſon to whom I ſhall leave "my throne. If I muſt be tried, princes alone can be my "peers. The queen of England's ſubjects, however noble "their birth may be, are of a rank inferior to mine. Ever "ſince my arrival in this kingdom I have been confined as a "priſoner. Its laws never afforded me any protection. "Let them not now be perverted, in order to take away my "life."

THE commiſſioners employed arguments and intreaties to overcome Mary's reſolution. They even threatened to proceed according to the forms of law, and to paſs ſentence againſt her on account of her contumacy in refuſing to plead; ſhe perſiſted, however, for two days to decline their juriſdiction. An argument uſed by Hatton, the vice-chamberlain, at laſt prevailed. He told her, that, by avoiding a trial, ſhe injured her own reputation, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the queen their miſtreſs, than to be convinced, by undoubted evidence, that ſhe had been unjuſtly loaded with foul aſperſions.

Conſents however to do ſo.

No wonder pretexts ſo plauſible ſhould impoſe on the unwary queen, or that ſhe, unaſſiſted at that time by any friend or counſellor, ſhould not be able to detect and elude all the artifices of Elizabeth's ableſt miniſters. In a ſituation equally melancholy,

melancholy, and under circumſtances nearly ſimilar, her grandſon, Charles I. refuſed, with the utmoſt firmneſs, to acknowledge the uſurped juriſdiction of the high court of juſtice; and poſterity has approved his conduct, as ſuitable to the dignity of a king. If Mary was leſs conſtant in her reſolution, it muſt be imputed ſolely to her anxious deſire of vindicating her own honour. BOOK V. VII. 1586.

AT her appearance before the judges, who were ſeated in the great hall of the caſtle, where they received her with much ceremony, ſhe took care to proteſt, that, by condeſcending to hear and to give an anſwer to the accuſations which ſhould be brought againſt her, ſhe neither acknowledged the juriſdiction of the court, nor admitted of the validity and juſtice of thoſe acts by which they pretended to try her. Oct. 14.

THE chancellor, by a counter-proteſtation, endeavoured to vindicate the authority of the court.

THEN Elizabeth's attorney and ſolicitor opened the charge againſt her, with all the circumſtances of the late conſpiracy. Copies of Mary's letters to Mendoza, Babington, Engleſield, and Paget, were produced. Babington's confeſſion, thoſe of Ballard, Savage, and the other conſpirators, together with the declarations of Nau and Curle, her ſecretaries, were read, and the whole ranged in the moſt ſpecious order which the art of the lawyers could deviſe, and heightened by every colour their eloquence could add. The accuſation againſt her.

MARY liſtened to their harangues attentively, and without emotion. But at the mention of the earl of Arundel's name, who was then confined in the Tower, ſhe broke out into this tender and generous exclamation: "Alas! how much "has the noble houſe of Howard ſuffered for my ſake!"

WHEN the queen's counſel had finiſhed, Mary ſtood up, and with great magnanimity, and equal preſence of mind, began her defence. She bewailed the unhappineſs of her own ſituation, that after a captivity of nineteen years, during which ſhe had ſuffered treatment no leſs cruel than unmerited, ſhe was at laſt loaded with an accuſation, which tended not only to rob her of her right of ſucceſſion, and to deprive her of life itſelf, but to tranſmit her name with infamy to future ages: That, without regarding the ſacred rights of ſovereignty, ſhe was now ſubjected to laws framed againſt private perſons; though an anointed queen, commanded to appear before the tribunal of ſubjects; and, like a common criminal, her honour expoſed to the petulant tongues of lawyers, capable of wreſting her words, and of miſrepreſenting her actions: that, even in this diſhonourable ſituation, Her defence.

BOOK VII. 1586.

situation, she was denied the privileges usually granted to criminals, and obliged to undertake her own defence, without the presence of any friend with whom to advise, without the aid of counsel, and without the use of her own papers.

She then proceeded to the particular articles in the accusation. She absolutely denied any correspondence with Babington or Ballard: copies only of her pretended letters to them were produced; though nothing less than her handwriting or subscription was sufficient to convict her of such an odious crime: no proof could be brought that the letters were delivered into her hands, or that any answer was returned by her direction: the confessions of wretches condemned and executed for such a detestable action, were of little weight; fear or hope might extort from them many things inconsistent with truth, nor ought the honour of a queen to be stained by such vile testimony. The declaration of her secretaries was not more conclusive: promises and threats might easily overcome the resolution of two strangers; in order to screen themselves, they might throw the blame on her; but they could discover nothing to her prejudice, without violating, in the first place, the oath of fidelity which they had sworn to her; and their perjury, in one instance, rendered them unworthy of credit in another: the letters to the Spanish ambassador were either nothing more than copies, or contained only what was perfectly innocent: "I have often," continued she, "made such efforts for the recovery of my liberty, as are natural to a human creature. Convinced, by the sad experience of so many years, that it was vain to expect it from the justice or generosity of the queen of England, I have frequently solicited foreign princes, and called upon all my friends to employ their whole interest for my relief. I have likewise endeavoured to procure for the English catholics some mitigation of the rigour with which they are now treated; and if I could hope, by my death, to deliver them from oppression, I am willing to die for their sake. I wish, however, to imitate the example of Esther, not of Judith, and would rather make intercession for my people, than shed the blood of the meanest creature, in order to save them. I have often checked the intemperate zeal of my adherents, when either the severity of their own persecutions, or indignation at the unheard-of injuries which I have endured, were apt to precipitate them into violent councils. I have even warned the queen of dangers to which these harsh proceedings exposed herself. And worn out, as I now am, with cares and suf-

"ferings,

1586.

"ferings, the proſpect of a crown is not ſo inviting, that I "ſhould ruin my ſoul in order to obtain it. I am no ſtran- "ger to the feelings of humanity, nor unacquainted with "the duties of religion, and abhor the deteſtable crime of "aſſaſſination, as equally repugnant to both. And, if ever "I have given conſent by my words, or even by my thoughts, "to any attempt againſt the life of the queen of England, far "from declining the judgment of men, I ſhall not even pray "for the mercy of God [t]."

Two different days did Mary appear before the judges, and in every part of her behaviour maintained the magnanimity of a queen, tempered with the gentleneſs and modeſty of a woman.

Sentence againſt her. Octob. 25.

THE commiſſioners, by Elizabeth's expreſs command, adjourned, without pronouncing any ſentence, to the ſtar-chamber in Weſtminſter. When aſſembled in that place, Nau and Curle were brought into court, and confirmed their former declaration upon oath; and after reviewing all their proceedings, the commiſſioners unanimouſly declared Mary "To be acceſſary to Babington's conſpiracy, and to have "imagined diverſe matters, tending to the hurt, death, and "deſtruction of Elizabeth, contrary to the expreſs words of "the ſtatute made for the ſecurity of the queen's life [u]."

Irregularities in the trial.

IT is no eaſy matter to determine whether the injuſtice in appointing this trial, or the irregularity in conducting it, were greateſt and moſt flagrant. By what right did Elizabeth claim authority over an independent queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the ſubjects of another prince become her judges? or if ſuch an inſult on royalty were allowed, ought not the common forms of juſtice to have been obſerved? If the teſtimony of Babington and his aſſociates were ſo explicit, why did not Elizabeth ſpare them for a few weeks, and by confronting them with Mary, overwhelm her with the full conviction of her crimes? Nau and Curle were both alive, wherefore did not they appear at Fotheringay, and for what reaſon were they produced in the ſtar-chamber, where Mary was not preſent to hear what they depoſed? Was this ſuſpicious evidence enough to condemn a queen? Ought the meaneſt criminal to have been found guilty upon ſuch feeble and inconcluſive proofs?

IT was not, however, on the evidence produced at her trial, that the ſentence againſt Mary was founded. That ſerved as a pretence to juſtify, but was not the cauſe of the

[t] Camd. 520, &c. [u] Ibid. 525.

violent

BOOK VII. 1586.

violent ſteps taken by Elizabeth and her miniſters towards her deſtruction; and was employed to give ſome appearance of juſtice to what was the offspring of jealouſy and fear. The nation, blinded with reſentment againſt Mary, and ſolicitous to ſecure the life of its own ſovereign from every danger, obſerved no irregularities in the proceedings, and attended to no defects in the proof, but graſped at the ſuſpicions and probabilities, as if they had been irrefragable demonſtrations.

The parliament confirm the ſentence,

THE parliament met a few days after ſentence was pronounced againſt Mary. In that illuſtrious aſſembly more temper and diſcernment than are to be found among the people, might have been expected. Both lords and commons, however, were equally under the dominion of popular prejudices and paſſions, and the ſame exceſſes of zeal, or of fear, which prevailed in the nation, are apparent in all their proceedings. They entered with impatience upon an inquiry into the conſpiracy, and the danger which threatened the queen's life as well as the peace of the kingdom. All the papers which had been produced at Fotheringay, were laid before them; and after many violent invectives againſt the queen of Scots, both houſes unanimouſly ratified the proceedings of the commiſſioners by whom ſhe had been tried, and declared the ſentence againſt her to be juſt and well founded. Not ſatisfied with this, they preſented a joint addreſs to the queen, beſeeching her, as ſhe regarded her own ſafety, the preſervation of the proteſtant religion, the welfare and wiſhes of her people, to publiſh the ſentence; and without farther delay to inflict on a rival, no leſs irreclaimable than dangerous, the puniſhment which ſhe had merited by ſo many crimes. This requeſt, dictated by fears unworthy of that great aſſembly, was enforced by reaſons ſtill more unworthy. They were drawn not from juſtice but from conveniency. The moſt rigorous confinement, it was pretended, could not curb Mary's intriguing ſpirit; her addreſs was found, by long experience, to be an overmatch for the vigilance and jealouſy of all her keepers: the ſevereſt penal laws could not reſtrain her adherents, who, while they believed her perſon to be ſacred, would deſpiſe any danger to which themſelves alone were expoſed: ſeveral foreign princes were ready to ſecond their attempts, and waited only a proper opportunity for invading the kingdom, and aſſerting the Scottiſh queen's title to the crown. Her life, they contended, was, for theſe reaſons, incompatible with Elizabeth's ſafety; and if ſhe were ſpared out of a falſe clemency, the queen's perſon, the religion and liberties

and demand the execution of it.

berties of the kingdom, could not be one moment ſecure. Neceſſity required that ſhe ſhould be ſacrificed in order to preſerve theſe; and to prove this ſacrifice to be no leſs juſt than neceſſary, ſeveral examples in hiſtory were produced, and many texts of ſcripture quoted; but both the one and the other were miſapplied, and diſtorted from their true meaning.

Elizabeth's diſſimulation.

NOTHING, however, could be more acceptable to Elizabeth, than an addreſs in this ſtrain. It extricated her out of a ſituation extremely embarraſſing; and without depriving her of the power of ſparing, it enabled her to puniſh her rival with leſs appearance of blame. If ſhe choſe the former, the whole honour would redound to her own clemency. If ſhe determined on the latter, whatever was rigorous might now ſeem to be extorted by the ſolicitations of her people, rather than to flow from her own inclination. Her anſwer, however, was in a ſtyle which ſhe often uſed, ambiguous and evaſive, under the appearance of openneſs and candour; full of ſuch profeſſions of regard for her people, as ſerved to heighten their loyalty; of ſuch complaints of Mary's ingratitude, as were calculated to excite their indignation; and of ſuch inſinuations that her own life was in danger, as could not fail to keep alive their fears. In the end, ſhe beſought them to ſave her the infamy and the pain of delivering up a queen, her neareſt kinſwoman, to puniſhment; and to conſider whether it might not ſtill be poſſible to provide for the public ſecurity, without forcing her to imbrue her hands in royal blood.

THE true meaning of this reply was eaſily underſtood. The lords and commons renewed their former requeſt with additional importunity, which was far from being either unexpected or offenſive. Elizabeth did not return any anſwer more explicit; and having obtained ſuch a public ſanction of her proceedings, there was no longer any reaſon for protracting this ſcene of diſſimulation; there was even ſome danger that her feigned difficulties might at laſt be treated as real ones; ſhe therefore adjourned the parliament, and reſerved in her own hands the ſole diſpoſal of her rival's fate [a].

France interpoſes feebly in behalf of Mary.

ALL the princes in Europe obſerved the proceedings againſt Mary with aſtoniſhment and horror; and even Henry III. notwithſtanding his known averſion to the houſe of Guiſe, was obliged to interpoſe in her behalf, and to appear in defence of the common rights of royalty. Aubeſpine his

[a] Camd. 326. D'Ewes, 375.

reſident

BOOK VII.

1586. Nov. 21.

resident ambassador, and Bellievre, who was sent with an extraordinary commission to the same purpose, interceded for Mary with great appearance of warmth. They employed all the arguments which the cause naturally suggested; they pleaded from justice, from generosity, and humanity; they intermingled reproaches and threats. But to all these Elizabeth continued deaf and inexorable; and having received some intimation of Henry's real unconcern about the fate of the Scottish queen, and knowing his antipathy to all the race of Guise, she trusted that these loud remonstrances would be followed by no violent resentment [y].

James endeavours to save his mother's life.

She paid no greater regard to the solicitations of the Scottish king, which, as they were urged with greater sincerity, merited more attention. Though her commissioners had been extremely careful to sooth James, by publishing a declaration that their sentence against Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly possessed; he beheld the indignities to which his mother had been exposed with filial concern, and with the sentiments which became a king. The pride of the Scottish nation was roused, by the insult offered to the blood of their monarchs, and called upon him to employ the most vigorous efforts, in order to prevent or to revenge the queen's death.

At first, he could hardly believe that Elizabeth would venture upon an action so unprecedented, which tended so visibly to render the persons of princes less sacred in the eyes of the people, and which degraded the regal dignity, of which, at other times, she was so remarkably jealous. But as soon as the extraordinary steps which she took discovered her intention, he dispatched sir William Keith to London, who, together with Douglas his ambassador in ordinary, remonstrated, in the strongest terms, against the injury done to an independent queen, in subjecting her to be tried like a private person, and by laws to which she owed no obedience; and besought Elizabeth not to add to this injury, by suffering a sentence unjust in itself, as well as dishonourable to the king of Scots, to be put into execution [z].

Elizabeth returning no answer to these remonstrances of his ambassador, James wrote to her with his own hand, complaining in the bitterest terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her friendship, and to act as became a son

[y] Camd. 531.

[z] See Append. No. XVI. Murdin, 573, &c. Birch, Mem. i. 52.

when

when called to revenge his mother's wrongs[a]. At the ſame time he aſſembled the nobles, who promiſed to ſtand by him in ſo good a cauſe. He appointed ambaſſadors to France, Spain, and Denmark, in order to implore the aid of theſe courts; and took other ſteps towards executing his threats with vigour. The high ſtrain of his letter enraged Elizabeth to ſuch a degree, that ſhe was ready to diſmiſs his ambaſſadors without any reply. But his preparations alarmed and embarraſſed her miniſters, and at their entreaty ſhe returned a ſoft and evaſive anſwer, promiſing to liſten to any overture from the king, that tended to his mother's ſafety; and to ſuſpend the execution of the ſentence, until the arrival of new ambaſſadors from Scotland[b]. 1586.

Meanwhile, ſhe commanded the ſentence againſt Mary to be publiſhed, and forgot not to inform the people, that this was extorted from her by the repeated entreaty of both houſes of parliament. At the ſame time ſhe diſpatched lord Buckhurſt and Beale to acquaint Mary with the ſentence, and how importunately the nation demanded the execution of it; and though ſhe had not hitherto yielded to theſe ſolicitations, ſhe adviſed her to prepare for an event which might become neceſſary for ſecuring the proteſtant religion, as well as quieting the minds of the people. Mary received the meſſage not only without ſymptoms of fear, but with expreſſions of triumph. "No wonder," ſaid ſhe, "the Engliſh "ſhould now thirſt for the blood of a foreign prince, they "have often offered violence to their own monarchs. But "after ſo many ſufferings, death comes to me as a welcome "deliverer. I am proud to think that my life is deemed of "importance to the catholic religion, and as a martyr for it "I am now willing to die[c]." Dec. 6. The ſentence againſt Mary publiſhed.

After the publication of the ſentence, Mary was ſtripped of every remaining mark of royalty. The canopy of ſtate in her apartment was pulled down; Paulet entered her chamber, and approached her perſon without any ceremony; and even appeared covered in her preſence. Shocked with theſe indignities, and offended at this groſs familiarity, to which ſhe had never been accuſtomed, Mary once more complained to Elizabeth; and at the ſame time, as her laſt requeſt, entreated that ſhe would permit her ſervants to carry her dead body into France, to be laid among her anceſtors in hallowed ground; that ſome of her domeſtics might be preſent at her death, to bear witneſs of her innocence, and firm adherence to the catholic faith; that all her ſervants might Dec. 19. She is treated with the utmoſt rigour.

[a] Birch, Mem. i. 52. [b] Spotſw. 251. Cald. iv. 5. [c] Camd. 528. Jebb, 291.

BOOK VII. 1586.

be ſuffered to leave the kingdom, and to enjoy thoſe ſmall legacies which ſhe ſhould beſtow on them, as teſtimonies of her affection; and that, in the mean time, her almoner, or ſome other catholic prieſt, might be allowed to attend her, and to aſſiſt her in preparing for an eternal world. She beſought her, in the name of Jeſus, by the ſoul and memory of Henry VII. their common progenitor, by their near conſanguinity, and the royal dignity with which they were both inveſted, to gratify her in theſe particulars, and to indulge her ſo far as to ſignify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth is uncertain. No anſwer was returned, and no regard paid to her requeſts. She was offered a proteſtant biſhop or dean to attend her. Them ſhe rejected, and without any clergyman to direct her devotions, ſhe prepared, in great tranquillity, for the approach of death, which ſhe now believed to be at no great diſtance [d].

1587. James renews his ſolicitations in her behalf. January 1.

JAMES, without loſing a moment, ſent new ambaſſadors to London. Theſe were the maſter of Gray, and ſir Robert Melvil. In order to remove Elizabeth's fears, they offered that their maſter would become bound that no conſpiracy ſhould be undertaken againſt her perſon, or the peace of the kingdom, with Mary's conſent; and for the faithful performance of this, would deliver ſome of the moſt conſiderable of the Scottiſh nobles as hoſtages. If this were not thought ſufficient, they propoſed that Mary ſhould reſign all her rights and pretenſions to her ſon, from whom nothing injurious to the proteſtant religion, or inconſiſtent with Elizabeth's ſafety, could be feared. The former propoſal Elizabeth rejected as inſecure; the latter, as dangerous. The ambaſſadors were then inſtructed to talk in a higher tone; and Melvil executed the commiſſion with fidelity and with zeal. But Gray, with his uſual perfidy, deceived his maſter, who truſted him with a negotiation of ſo much importance, and betrayed the queen whom he was employed to ſave. He encouraged and urged Elizabeth to execute the ſentence againſt her rival. He often repeated the old proverbial ſentence, "The dead cannot bite." And whatever ſhould happen, he undertook to pacify the king's rage, or at leaſt to prevent any violent effects of his reſentment [e].

Elizabeth's anxiety and diſſimulation.

ELIZABETH, meanwhile, diſcovered all the ſymptoms of the moſt violent agitation and diſquietude of mind. She ſhunned ſociety, ſhe was often found in a melancholy and muſing poſture, and repeating with much emphaſis theſe

[d] Camd. 528. Jebb, ii. 295. [e] Spotſw. 352. Murdin, 568. See App. No. XVII.

ſentences

ſentences which ſhe borrowed from ſome of the devices then in vogue; *Aut fer, aut feri; ne ferias, feri.* Much, no doubt, of this apparent uneaſineſs muſt be imputed to diſſimulation; it was impoſſible, however, that a princeſs, naturally ſo cautious as Elizabeth, ſhould venture on an action, which might expoſe her memory to infamy, and her life and kingdom to danger, without reflecting deeply, and heſitating long. The people waited her determination in ſuſpenſe and anxiety; and leſt their fear or their zeal ſhould ſubſide, rumours of danger were artfully invented, and propagated with the utmoſt induſtry. Aubeſpine, the French ambaſſador, was accuſed of having ſuborned an aſſaſſin to murder the queen. The Spaniſh fleet was ſaid by ſome to be already arrived at Milfordhaven. Others affirmed that the duke of Guiſe had landed with a ſtrong army in Suſſex. Now, it was reported that the northern counties were up in arms; next day, that the Scots had entered England with all their forces; and a conſpiracy, it was whiſpered, was on foot for ſeizing the queen and burning the city. The panic grew every day more violent; and the people, aſtoniſhed and enraged, called for the execution of the ſentence againſt Mary, as the only thing which could reſtore tranquillity to the kingdom [f].

Warrant for Mary's execution ſigned. February 1.

WHILE theſe ſentiments prevailed among her ſubjects, Elizabeth thought ſhe might ſafely venture to ſtrike the blow, which ſhe had ſo long meditated. She commanded Daviſon, one of the ſecretaries of ſtate, to bring to her the fatal warrant; and her behaviour on that occaſion plainly ſhewed, that it is not to humanity that we muſt aſcribe her forbearance hitherto. At the very moment ſhe was ſigning the writ which gave up a woman, a queen, and her own neareſt relation, into the hands of the executioner, ſhe was capable of jeſting. "Go," ſays ſhe to Daviſon, "and tell Wal-"ſingham what I have now done, though I am afraid he "will die for grief when he hears it." Her chief anxiety was how to ſecure the advantages which would ariſe from Mary's death, without appearing to have given her conſent to a deed ſo odious. She often hinted to Paulet and Drury, as well as to ſome other courtiers, that now was the time to diſcover the ſincerity of their concern for her ſafety, and that ſhe expected their zeal would extricate her out of her preſent perplexity. But they were wiſe enough to ſeem not to underſtand her meaning. Even after the warrant was ſigned, ſhe commanded a letter to be written to Paulet, in

[f] Camd. 533, 534.

BOOK VII. 1587.

leſs ambiguous terms, complaining of his remiſſneſs in ſparing ſo long the life of her capital enemy, and begging him to remember at laſt what was incumbent on him as an affectionate ſubject, as well as what he was bound to do by the oath of aſſociation, and to deliver his ſovereign from continual fear and danger, by ſhortening the days of his priſoner. Paulet, though rigorous and harſh, and often brutal in the diſcharge of what he thought his duty, as Mary's keeper, was nevertheleſs a man of honour and integrity. He rejected the propoſal with diſdain; and lamenting that he ſhould ever have been deemed capable of acting the part of an aſſaſſin, he declared that the queen might diſpoſe of his life at her pleaſure, but that he would never ſtain his own honour, nor leave an everlaſting mark of infamy on his poſterity, by lending his hand to perpetrate ſo foul a crime. On the receipt of this anſwer, Elizabeth became extremely peeviſh; and calling him a *dainty* and *preciſe fellow*, who would promiſe much, but perform nothing, ſhe propoſed to employ one Wingfield, who had both courage and inclination to ſtrike the blow [g]. But Daviſon remonſtrating againſt this, as a deed diſhonourable in itſelf, and of dangerous example, ſhe again declared her intention that the ſentence pronounced by the commiſſioners ſhould be executed according to law; and as ſhe had already ſigned the warrant, ſhe begged that no farther application might be made to her on that head. By this the privy counſellors thought themſelves ſufficiently authoriſed to proceed; and prompted, as they pretended, by zeal for the queen's ſafety, or inſtigated, as is more probable, by the apprehenſion of the danger to which they would themſelves be expoſed, if the life of the queen of Scots were ſpared, they aſſembled in the council chamber; and by a letter under all their hands, empowered the earls of Shrewſbury and Kent, together with the high ſheriff of the county, to ſee the ſentence put in execution [h].

Mary's behaviour at her death.

On Tueſday the ſeventh of February, the two earls arrived at Fotheringay, and demanded acceſs to the queen, read in her preſence the warrant for execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and croſſing herſelf in the name of the Father, and of the Son, and of the Holy Ghoſt, "That "ſoul," ſaid ſhe, "is not worthy the joys of heaven, which "repines becauſe the body muſt endure the ſtroke of the exe- "cutioner; and though I did not expect that the queen of "England would ſet the firſt example of violating the ſacred

g Biogr. Britan. article *Daviſon*, h Camd. 534. Stryp. iii. 361. 366.

"perſon

"person of a sovereign prince, I willingly submit to that "which Providence has decreed to be my lot;" and laying her hand on a Bible, which happened to be near her, she solemnly protested that she was innocent of that conspiracy which Babington had carried on against Elizabeth's life[1]. She then mentioned the requests contained in her letter to Elizabeth, but obtained no satisfactory answer. She entreated with particular earnestness, that now in her last moments her almoner might be suffered to attend her, and that she might enjoy the consolation of those pious institutions prescribed by her religion. Even this favour, which is usually granted to the vilest criminal, was absolutely denied. BOOK VII. 1587.

Her attendants, during this conversation, were bathed in tears, and though overawed by the presence of the two earls, with difficulty suppressed their anguish; but no sooner did Kent and Shrewsbury withdraw, than they ran to their mistress, and burst out into the most passionate expressions of tenderness and sorrow. Mary, however, not only retained perfect composure of mind herself, but endeavoured to moderate their excessive grief; and falling on her knees, with all her domestics round her, she thanked Heaven that her sufferings were now so near an end, and prayed that she might be enabled to endure what still remained with decency and with fortitude. The greater part of the evening she employed in settling her worldly affairs. She wrote her testament with her own hand. Her money, her jewels, and her clothes, she distributed among her servants, according to their rank or merit. She wrote a short letter to the king of France, and another to the duke of Guise, full of tender but magnanimous sentiments, and recommended her soul to their prayers, and her afflicted servants to their protection. At supper she ate temperately, as usual, and conversed not only with ease, but with cheerfulness; she drank to every one of her servants, and asked their forgiveness, if ever she had failed in any part of her duty towards them. At her wonted time she went to bed, and slept calmly a few hours. Early in the morning she retired into her closet, and employed a considerable time in devotion. At eight o'clock the high sheriff and his officers entered her chamber, and found her still kneeling at the altar. She immediately started up, and with a majestic mien, and a countenance undismayed, and even cheerful, advanced towards the place of execution, leaning on two of Paulet's attendants. She was dressed in a mourning habit, but with an elegance and splendour which she

[1] Jebb, ii. 301.

BOOK VII. 1587.

had long laid aſide, except on a few feſtival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand ſhe carried a crucifix of ivory. At the bottom of the ſtairs the two earls, attended by ſeveral gentlemen from the neighbouring counties, received her; and there ſir Andrew Melvil, the maſter of her houſehold, who had been ſecluded for ſome weeks from her preſence, was permitted to take his laſt farewel. At the ſight of a miſtreſs whom he tenderly loved, in ſuch a ſituation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate, in being appointed to carry the account of ſuch a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is at preſent "great cauſe for rejoicing. Thou ſhalt this day ſee Mary "Stewart delivered from all her cares, and ſuch an end put "to her tedious ſufferings, as ſhe has long expected. Bear "witneſs that I die conſtant in my religion; firm in my fi-"delity towards Scotland; and unchanged in my affection "to France. Commend me to my ſon. Tell him I have "done nothing injurious to his kingdom, to his honour, or "to his rights; and God forgive all thoſe who have thirſted, "without cauſe, for my blood."

WITH much difficulty, and after many entreaties, ſhe prevailed on the two earls to allow Melvil, together with three of her men ſervants and two of her maids, to attend her to the ſcaffold. It was erected in the ſame hall where ſhe had been tried, raiſed a little above the floor, and covered, as well as a chair, the cuſhion, and block, with black cloth. Mary mounted the ſteps with alacrity, beheld all this apparatus of death with an unaltered countenance, and ſigning herſelf with the croſs, ſhe ſat down in the chair. Beale read the warrant for execution with a loud voice, to which ſhe liſtened with a careleſs air, and like one occupied in other thoughts. Then the dean of Peterborough began a devout diſcourſe, ſuitable to her preſent condition, and offered up prayers to Heaven in her behalf; but ſhe declared that ſhe could not in conſcience hearken to the one, nor join with the other; and kneeling down, repeated a Latin prayer. When the dean had finiſhed his devotions, ſhe, with an audible voice, and in the Engliſh tongue, recommended unto God the afflicted ſtate of the church, and prayed for proſperity to her ſon, and for a long life and peaceable reign to Elizabeth. She declared that ſhe hoped for mercy only through the death of Chriſt, at the foot of whoſe image ſhe now willingly ſhed her blood; and lifting up and kiſſing the crucifix, ſhe thus addreſſed it: "As thy arms, O Jeſus, were

" extended on the croſs; ſo with the outſtretched arms of " thy mercy receive me, and forgive my ſins."

BOOK VII.

1587.

She then prepared for the block, by taking off her veil and upper garments; and one of the executioners rudely endeavouring to aſſiſt, ſhe gently checked him, and ſaid, with a ſmile, that ſhe had not been accuſtomed to undreſs before ſo many ſpectators, nor to be ſerved by ſuch valets. With calm but undaunted fortitude, ſhe laid her neck on the block; and while one executioner held her hands, the other, at the ſecond ſtroke, cut off her head, which falling out of its attire, diſcovered her hair already grown quite grey with cares and ſorrows. The executioner held it up ſtill ſtreaming with blood, and the dean crying out, " So periſh all " queen Elizabeth's enemies," the earl of Kent alone anſwered Amen. The reſt of the ſpectators continued ſilent, and drowned in tears; being incapable, at that moment, of any other ſentiments but thoſe of pity or admiration [k].

Such was the tragical death of Mary queen of Scots, after a life of forty-four years and two months, almoſt nineteen years of which ſhe paſſed in captivity. The political parties which were formed in the kingdom, during her reign, have ſubſiſted, under various denominations, ever ſince that time. The rancour, with which they were at firſt animated, hath deſcended to ſucceeding ages, and their prejudices, as well as their rage, have been perpetuated, and even augmented. Among hiſtorians, who were under the dominion of all theſe paſſions, and who have either aſcribed to her every virtuous and amiable quality, or have imputed to her all the vices of which the human heart is ſuſceptible, we ſearch in vain for Mary's real character. She neither merited the exaggerated praiſes of the one, nor the undiſtinguiſhed cenſure of the other.

Sentiments of hiſtorians concerning her.

To all the charms of beauty, and the utmoſt elegance of external form, ſhe added thoſe accompliſhments which render their impreſſion irreſiſtible. Polite, affable, inſinuating, ſprightly, and capable of ſpeaking and of writing with equal eaſe and dignity. Sudden, however, and violent in all her attachments; becauſe her heart was warm and unſuſpicious. Impatient of contradiction; becauſe ſhe had been accuſtomed from her infancy to be treated as a queen. No ſtranger, on ſome occaſions, to diſſimulation; which, in that perfidious court where ſhe received her education, was reckoned among the neceſſary arts of government. Not inſenſible of flattery, or unconſcious of that pleaſure with which almoſt

Her character.

[k] Camd. 534. Spotſw. 355. Jebb, ii. 300. Strype, iii. 383. See Append. No. XVIII.

BOOK VII. 1587.

every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; ſhe was an agreeable woman, rather than an illuſtrious queen. The vivacity of her ſpirit not ſufficiently tempered with ſound judgment, and the warmth of her heart, which was not at all times under the reſtraint of diſcretion, betrayed her both into errors and into crimes. To ſay that ſhe was always unfortunate, will not account for that long and almoſt uninterrupted ſucceſſion of calamities which befel her; we muſt likewiſe add, that ſhe was often imprudent. Her paſſion for Darnly was raſh, youthful, and exceſſive; and though the ſudden tranſition to the oppoſite extreme, was the natural effect of her ill-requited love, and of his ingratitude, inſolence, and brutality; yet neither theſe, nor Bothwell's artful addreſs and important ſervices, can juſtify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy paſſion; nor can they induce us to look on that tragical and infamous ſcene which followed upon it, with leſs abhorrence. Humanity will draw a veil over this part of her character which it cannot approve, and may, perhaps, prompt ſome to impute ſome of her actions to her ſituation, more than to her diſpoſitions; and to lament the unhappineſs of the former, rather than accuſe the perverſeneſs of the latter. Mary's ſufferings exceed, both in degree and in duration, thoſe tragical diſtreſſes which fancy has feigned to excite ſorrow and commiſeration; and while we ſurvey them, we are apt altogether to forget her frailties, we think of her faults with leſs indignation, and approve of our tears, as if they were ſhed for a perſon who had attained much nearer to pure virtue.

WITH regard to the queen's perſon, a circumſtance not to be omitted in writing the hiſtory of a female reign, all contemporary authors agree in aſcribing to Mary the utmoſt beauty of countenance, and elegance of ſhape, of which the human form is capable. Her hair was black, though, according to the faſhion of that age, ſhe frequently wore borrowed locks, and of different colours. Her eyes were a dark grey; her complexion was exquiſitely fine; and her hands and arms remarkably delicate, both as to ſhape and colour. Her ſtature was of an height that roſe to the majeſtic. She danced, ſhe walked, and rode with equal grace. Her taſte for muſic was juſt, and ſhe both ſung and played upon the lute with uncommon ſkill. Towards the end of her life, long confinement, and the coldneſs of the houſes in which ſhe had been impriſoned, brought on

a rheumatiſm, which often deprived her of the uſe of her limbs. No man, ſays Brantome, ever beheld her perſon without admiration and love, or will read her hiſtory without ſorrow. BOOK VII. 1587.

None of her women were ſuffered to come near her dead body, which was carried into a room adjoining to the place of execution, where it lay for ſome days, covered with a coarſe cloth torn from a billiard table. The block, the ſcaffold, the aprons of the executioners, and every thing ſtained with her blood, were reduced to aſhes. Not long after, Elizabeth appointed her body to be buried in the cathedral of Peterborough with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of thoſe injuries which laid Mary in her grave. James, ſoon after his acceſſion to the Engliſh throne, ordered her body to be removed to Weſtminſter-abbey, and to be depoſited among the monarchs of England.

Elizabeth affects to lament Mary's death.

Elizabeth affected to receive the accounts of Mary's death with the moſt violent emotions of ſurpriſe and of concern. Sighs, tears, lamentations, and mourning, were all employed to diſplay the reality and greatneſs of her ſorrow. Evident marks of diſſimulation and artifice may be traced through every period of Elizabeth's proceedings againſt the life of the Scottiſh queen. The commiſſion for bringing Mary to a public trial was ſeemingly extorted from her by the entreaties of her privy counſellors. She delayed publiſhing the ſentence againſt her till ſhe was twice ſolicited by both houſes of parliament. Nor did ſhe ſign the warrant for execution without the utmoſt apparent reluctance. One ſcene more of the boldeſt and moſt ſolemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge, and againſt her will. Daviſon, who neither ſuſpected her intention nor his own danger, was her inſtrument in carrying on this artifice, and fell a victim to it.

It was his duty, as ſecretary of ſtate, to lay before her the warrant for execution, in order to be ſigned; and, by her command, he carried it to the great ſeal. She pretended, however, that ſhe had charged him not to communicate what ſhe had done to any perſon, nor to ſuffer the warrant to go out of his hands, without her expreſs permiſſion; that, in contempt of this order, he had not only revealed the matter to ſeveral of her miniſters, but had, in concert with them, aſſembled her privy counſellors, by whom, without

her

BOOK VII. 1587.

her conſent or knowledge, the warrant was iſſued, and the earls of Shrewſbury and Kent impowered to put it in execution. Though Daviſon denied all this, and with circumſtances which bear the ſtrongeſt marks of truth and credibility; though it can ſcarcely be conceived that her privy council, compoſed of the perſons in whom ſhe moſt confided, of her miniſters and favourites, would aſſemble within the walls of her palace, and venture to tranſact a matter of ſo much importance without her privity, and contrary to her inclination; yet ſo far did ſhe carry her diſſimulation, that with all the ſigns of diſpleaſure and of rage, ſhe baniſhed moſt of her counſellors out of her preſence; and treated Burleigh, in particular, ſo harſhly, and with ſuch marks of diſguſt, that he gave up himſelf for loſt, and in the deepeſt affliction wrote to the queen, begging leave to reſign all his places, that he might retire to his own eſtate. Daviſon ſhe inſtantly deprived of his office, and committed him a cloſe priſoner to the Tower. He was ſoon after brought to a ſolemn trial in the Star Chamber, condemned to pay a fine of ten thouſand pounds, and to be impriſoned during the queen's pleaſure. He languiſhed ſeveral years in confinement, and never recovered any degree of favour or of power. As her jealouſy and fear had bereaved the queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no ſcruple of ſacrificing the reputation and happineſs of one of the moſt virtuous and able men in her kingdom[1].

March.

Elizabeth endeavours to ſooth James.

THIS ſolemn farce, for it deſerves no better name, furniſhed Elizabeth, however, with an apology to the king of Scots. As the proſpect of his mother's danger had excited the king's filial care and concern, the account of her death filled him with grief and reſentment. His ſubjects felt the diſhonour done to him and to the nation. In order to ſooth both, Elizabeth inſtantly diſpatched Robert Carey, one of lord Hunſdon's ſons, with a letter expreſſing her extreme affliction on account of that miſerable accident, which, as ſhe pretended, had happened far contrary to her appointment or intention. James would not permit her meſſenger to enter Scotland; and with ſome difficulty received a memorial which he ſent from Berwick. It contained the tale concerning Daviſon, dreſſed up with all the circumſtances which tended to exculpate Elizabeth, and to throw the whole blame on his raſhneſs or treachery. Such a defence gave little ſatisfaction, and was conſidered as mock-

[1] Camd. 536. Strype, iii. 370. See Append. No. XIX. Cabala, 229. &c.

cry

ety added to inſult; and many of the nobles, as well as the king, breathed nothing but revenge. Elizabeth was extremely ſolicitous to pacify them, and ſhe wanted neither able inſtruments, nor plauſible reaſons, in order to accompliſh this. Leiceſter wrote to the king, and Walſingham to ſecretary Maitland. They repreſented the certain deſtruction to which James would expoſe himſelf, if, with the forces of Scotland alone, he ſhould venture to attack a kingdom ſo far ſuperior in power; that the hiſtory of paſt ages, as well as his mother's ſad experience, might convince him, that nothing could be more dangerous, or deceitful, than dependance on foreign aid; that the king of France would never wiſh to ſee the Britiſh kingdoms united under one monarch, nor contribute to inveſt a prince ſo nearly allied to the houſe of Guiſe with ſuch formidable power; that Philip might be a more active ally, but would certainly prove a more dangerous one, and, under pretence of aſſiſting him, would aſſert his own right to the Engliſh crown, which he already began openly to claim; that the ſame ſtatute, on which the ſentence of death againſt his mother had been founded, would juſtify the excluding him from the ſucceſſion to the crown; that the Engliſh, naturally averſe from the dominion of ſtrangers, would not fail, if exaſperated by his hoſtilities, to apply it in that manner; that Elizabeth was diſpoſed to repair the wrongs which the mother had ſuffered, by her tenderneſs and affection towards the ſon; and that, by engaging in a fruitleſs war, he would deprive himſelf of a noble inheritance, which, by cultivating her friendſhip, he muſt infallibly obtain. Theſe repreſentations, added to the conſciouſneſs of his own weakneſs, to the ſmallneſs of his revenues, to the mutinous ſpirit of ſome of the nobles, to the dubious fidelity of others, and to the influence of that faction which was entirely at Elizabeth's devotion, convinced James that a war with England, however juſt, would in the preſent juncture be altogether impolitical. All theſe conſiderations induced him to ſtifle his reſentment; to appear ſatisfied with the puniſhment inflicted on Daviſon; and to preſerve all the ſemblances of friendſhip with the Engliſh court[m]. In this manner did the cloud which threatened ſuch a ſtorm paſs away. Mary's death, like that of a common criminal, remained unavenged by any prince; and whatever infamy Elizabeth might incur, ſhe was expoſed to no new danger on that account.

BOOK VII. 1587.

MARY's death, however, proved fatal to the maſter of Diſgrace of the maſter

[m] Spotſw. 362. Cald. iv. 13, 14. Strype, iii. 377.

Gray,

BOOK VII. 1587.

Gray, and loſt him the king's favour, which he had for ſome time poſſeſſed. He was become as odious to the nation as favourites, who acquire power without merit, and exerciſe it without diſcretion, uſually are. The treacherous part which he had acted during his late embaſſy, was no ſecret, and filled James, who at length came to the knowledge of it, with aſtoniſhment. The courtiers obſerved the ſymptoms of diſguſt ariſing in the king's mind, his enemies ſeized the opportunity, and ſir William Stewart, in revenge of the perfidy with which Gray had betrayed his brother captain James, publicly accuſed him before a convention of nobles not only of having contributed, by his advice and ſuggeſtions, to take away the life of the queen, but of holding correſpondence with popiſh princes, in order to ſubvert the religion eſtabliſhed in the kingdom. Gray, unſupported by the king, deſerted by all, and conſcious of his own guilt, made a feeble defence. He was condemned to perpetual baniſhment, a puniſhment very unequal to his crimes. But the king was unwilling to abandon one whom he had once favoured ſo highly, to the rigour of juſtice; and lord Hamilton, his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had ſerved them, interceded warmly in his behalf.

May 10.

HAVING thus accompliſhed the deſtruction of one of his enemies, captain James Stewart thought the juncture favourable for proſecuting his revenge on them all. He ſingled out ſecretary Maitland, the moſt eminent both for abilities and enmity to him; and offered to prove that he was no leſs acceſſary than Gray to the queen's death, and had even formed a deſign of delivering up the king himſelf into the hands of the Engliſh. But time and abſence had, in a great meaſure, extinguiſhed the king's affection for a minion who ſo little deſerved it. All the courtiers combined againſt him as a common enemy; and inſtead of gaining his point, he had the mortification to ſee the office of chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of a prime miniſter.

IN the aſſembly of the church, which met this year, the ſame hatred to the order of biſhops, and the ſame jealouſy and fear of their encroachments, appeared. But as the king was now of full age, and a parliament was ſummoned on that occaſion, the clergy remained ſatisfied with appointing ſome of their number to repreſent their grievances to that court, from which great things were expected.

PREVIOUS

BOOK VII.

PREVIOUS to this meeting of parliament, James attempted a work worthy of a king. The deadly feuds which subſiſted between many of the great families, and which were tranſmitted from one generation to another, weakened the ſtrength of the kingdom; contributed, more than any other circumſtance, to preſerve a fierce and barbarous ſpirit among the nobles; and proved the occaſion of many diſaſters to themſelves and to their country. After many preparatory negotiations, he invited the contending parties to a royal entertainment in the palace of Holy-rood-houſe; and partly by his authority, partly by his entreaties, obtained their promiſe to bury their diſſenſions in perpetual oblivion. From thence he conducted them, in ſolemn proceſſion, through the ſtreets of Edinburgh, marching by pairs, each hand in hand with his enemy. A collation of wine and ſweetmeats was prepared at the public croſs, and there they drank to each other, with all the ſigns of reciprocal forgiveneſs and of future friendſhip. The people, who were preſent at a ſpectacle ſo unuſual, conceived the moſt ſanguine hopes of ſeeing concord and tranquillity eſtabliſhed in every part of the kingdom, and teſtified their ſatisfaction by repeated acclamations [a]. Unhappily, the effects of this reconciliation were not correſpondent either to the pious endeavours of the king, or the fond wiſhes of the people.

1587. The king attempts to unite the nobles.

THE firſt care of the parliament was the ſecurity of the proteſtant religion. All the laws paſſed in its favour, ſince the Reformation, were ratified; and a new and ſevere one was enacted againſt ſeminary prieſts and jeſuits, whoſe reſtleſs induſtry in making proſelytes, brought many of them into Scotland about this time. Two acts of this parliament deſerve more particular notice on account of the conſequences with which they were followed.

THE one reſpected the lands of the church. As the public revenues were not ſufficient for defraying the king's ordinary charges; as the adminiſtration of the government became more complicated and more expenſive; as James was naturally profuſe, and a ſtranger to œconomy; it was neceſſary, on all theſe accounts, to provide ſome fund proportioned to his exigencies. But no conſiderable ſum could be levied on the commons, who did not enjoy the benefit of an extenſive commerce. The nobles were unaccuſtomed to bear the burden of heavy taxes. The revenues of the church were the only ſource whence a proper ſupply could be drawn. Notwithſtanding all the depredations of the laity ſince

General annexation of church lands.

[a] Spotſw. 164. Calд. iv. 13.

the

BOOK VII. 1587.

the Reformation, and the various devices which they had employed to ſeize the church lands, ſome conſiderable portion of them remained ſtill unalienated, and were held either by the biſhops who poſſeſſed the benefices, or were granted to laymen during pleaſure. All theſe lands were, in this parliament, annexed, by one general law [o], to the crown, and the king was empowered to apply the rents of them to his own uſe. The tithes alone were reſerved for the maintenance of the perſons who ſerved the cure, and the principal manſion-houſe, with a few acres of land, by way of glebe, allotted for their reſidence. By this great acceſſion of property, it is natural to conclude that the king muſt have acquired a vaſt increaſe of power, and the influence of the nobles have ſuffered a proportional diminution. The very reverſe of this ſeems, however, to have been the caſe. Almoſt all grants of church-lands, prior to this act, were thereby confirmed; and titles, which were formerly reckoned precarious, derived from thence the ſanction of parliamentary authority. James was likewiſe authoriſed, during a limited time, to make new alienations; and ſuch was the facility of his temper, ever ready to yield to the ſolicitations of his ſervants, and to gratify their moſt extravagant demands, that not only during the time limited, but throughout his whole reign, he was continually employed in beſtowing, and his parliament in ratifying, grants of this kind to his nobles; hence little advantage accrued to the crown from that which might have been ſo valuable an addition to its revenues. The biſhops, however, were great ſufferers by the law. But at this juncture neither the king nor his miniſters were ſolicitous about the intereſts of an order of men, odious to the people, and perſecuted by the clergy. Their enemies promoted the law with the utmoſt zeal. The proſpect of ſharing in their ſpoils induced all parties to conſent to it; and after a ſtep ſo fatal to the wealth and power of the dignified clergy, it was no difficult matter to introduce that change in the government of the church which ſoon after took place [p].

Leſſer barons admitted into parliament by their repreſentatives.

THE change which the other ſtatute produced in the civil conſtitution was no leſs remarkable. Under the feudal ſyſtem, every freeholder or vaſſal of the crown had a right to be preſent in parliament. Theſe freeholders were originally few in number, but poſſeſſed of great and extenſive property. By degrees theſe vaſt poſſeſſions were divided by the proprietors themſelves, or parcelled out by the prince, or ſplit

[o] Parl. 11 Jac. VI. c. 29. [p] Spotſw. 365.

by

by other accidents. The number of freeholders became greater, and their condition more unequal: beſides the ancient barons, who preſerved their eſtates and their power unimpaired, there aroſe another order, whoſe rights were the ſame, though their wealth and influence were far inferior. But, in rude ages, when the art of government was extremely imperfect, when parliaments were ſeldom aſſembled, and deliberated on matters little intereſting to a martial people, few of the *leſſer barons* took their ſeats, and the whole parliamentary juriſdiction was exerciſed by the *greater barons*, in conjunction with the eccleſiaſtical order. James I. fond of imitating the forms of the Engliſh conſtitution, to which he had been long accuſtomed, and deſirous of providing a counterpoiſe to the power of the great nobles, procured an act in the year one thouſand four hundred and twenty-ſeven, diſpenſing with the perſonal attendance of the leſſer barons, and empowering thoſe in each county to chuſe two commiſſioners to repreſent them in parliament. This law, like many other regulations of that wiſe prince, produced little effect. All the king's vaſſals continued, as formerly, poſſeſſed of a right to be preſent in parliament; but, unleſs in ſome extraordinary conjunctures, the greater barons alone attended. But, by means of the Reformation, the conſtitution had undergone a great change. The ariſtocratical power of the nobles had been much increaſed, and the influence of the eccleſiaſtical order, which the crown uſually employed to check their uſurpations, and to balance their authority, had diminiſhed in proportion. Many of the abbies and priories had been erected into temporal peerages; and the proteſtant biſhops, an indigent race of men, and odious to the nation, were far from poſſeſſing the weight and credit which their predeceſſors derived from their own exorbitant wealth, and the ſuperſtitious reverence of the people. In this ſituation, the king had recourſe to the expedient employed by James I. and obtained a law reviving the ſtatute of one thouſand four hundred and twenty-ſeven; and from that time the commons of Scotland have ſent their repreſentatives to parliament. An act, which tended ſo viſibly to abridge their authority, did not paſs without oppoſition from many of the nobles. But as the king had a right to ſummon the leſſer barons to attend in perſon, others were apprehenſive of ſeeing the houſe filled with a multitude of his dependants, and conſented the more willingly to a law which laid them under the reſtriction of appearing only by their repreſentatives.

BOOK VII. 1587.

1588. The approach of the Spaniſh armado.

THE year one thouſand five hundred and eighty-eight began with an univerſal expectation throughout all Europe, that

BOOK VII. 1588.

that it was to be diſtinguiſhed by wonderful events and revolutions. Several aſtrologers, according to the accounts of contemporary hiſtorians, had predicted this; and the ſituation of affairs in the two principal kingdoms of Europe was ſuch, that a ſagacious obſerver, without any ſupernatural intelligence, might have hazarded the prediction, and have foreſeen the approach of ſome grand criſis. In France, it was evident from the aſtoniſhing progreſs of the league, conducted by a leader whoſe ambition was reſtrained by no ſcruples, and whoſe genius had hitherto ſurmounted all difficulties; as well as from the timid, variable, and impolitic councils of Henry III. that either that monarch muſt ſubmit to abandon the throne, of which he was unworthy, or by ſome ſudden and daring blow cut off his formidable rival. Accordingly, in the beginning of the year, the duke of Guiſe drove his maſter out of his capital city, and forced him to conclude a peace, which left him only the ſhadow of royalty; and before the year expired, he himſelf fell a victim to the reſentment and fear of Henry, and to his own ſecurity. In Spain the operations were ſuch as promiſed ſomething ſtill more uncommon. During three years Philip had employed all the power of his European dominions, and exhauſted the treaſures of the Indies, in vaſt preparations for war. A fleet, the greateſt that had ever appeared in the ocean, was ready to ſail from Liſbon, and a numerous land army was aſſembled to embark on board of it. Its deſtination was ſtill unknown, though many circumſtances made it probable that the blow was aimed, in the firſt place, againſt England. Elizabeth had long given ſecret aid to the revolted provinces in the Low Countries, and now openly afforded them her protection. A numerous body of her troops was in their ſervice; the earl of Leiceſter commanded their armies; ſhe had great ſway in the civil government of the republic; and ſome of its moſt conſiderable towns were in her poſſeſſion. Her fleets had inſulted the coaſts of Spain, intercepted the galleons from the Weſt Indies, and threatened the colonies there. Roufed by ſo many injuries, allured by views of ambition, and animated by a ſuperſtitious zeal for propagating the Romiſh religion, Philip reſolved not only to invade, but to conquer England, to which his deſcent from the houſe of Lancaſter, and the donation of pope Sixtus V. gave him in his own opinion a double title.

Conduct of James on that occaſion.

ELIZABETH ſaw the danger approach, and prepared to encounter it. The meaſures for the defence of her kingdom were concerted and carried on with the wiſdom and vigour which diſtinguiſhed her reign. Her chief care was to ſecure the

the friendship of the king of Scots. She had treated the queen his mother with a rigour unknown among princes; she had often used herself harshly, and with contempt; and though he had hitherto prudently suppressed his resentment of these injuries, she did not believe it to be altogether extinguished, and was afraid that, in her present situation, it might burst out with a fatal violence. Philip, sensible how much an alliance with Scotland would facilitate his enterprise, courted James with the utmost assiduity. He excited him to revenge his mother's wrong; he flattered him with the hopes of sharing his conquests; and offered him in marriage his daughter the infanta Isabella. At the same time, Scotland swarmed with priests, his emissaries, who seduced some of the nobles to popery, and corrupted others with bribes and promises. Huntly, Errol, Crawford, were the heads of a faction which openly espoused the interest of Spain. Lord Maxwell, arriving from that court, began to assemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all these, Elizabeth made the warmest professions of friendship to the king; and Ashby, her ambassador, entertained him with magnificent hopes and promises. He assured him, that his right of succession to the crown should be publicly acknowledged in England; that he should be created a duke in that kingdom; that he should be admitted to some share in the government; and receive a considerable pension annually. James, it is probable, was too well acquainted with Elizabeth's arts, to rely entirely on these promises. But he understood his own interest in the present juncture, and pursued it with much steadiness. He rejected an alliance with Spain, as dangerous. He refused to admit into his presence an ambassador from the pope. He seized colonel Semple, an agent of the prince of Parma. He drove many of the seminary priests out of the kingdom. He marched suddenly to Dumfries, dispersed Maxwell's followers, and took him prisoner. In a convention of the nobles, he declared his resolution to adhere inviolably to the league with England; and, without listening to the suggestions of revenge, determined to act in concert with Elizabeth, against the common enemy of the protestant faith. He put the kingdom in a posture of defence, and levied troops to obstruct the landing of the Spaniards. He offered to send an army to Elizabeth's assistance, and told her ambassador, that he expected no other favour from the king of Spain, but that which Polyphemus had promised to Ulysses, that when he

BOOK VII. 1588.

BOOK VII.

had devoured all his companions, he would make him his laſt morſel [q].

1588.

A national covenant in defence of religion.

THE zeal of the people, on this occaſion, was not inferior to that of the king; and the extraordinary danger, with which they were threatened, ſuggeſted to them an extraordinary expedient for their ſecurity. A bond was framed for the maintenance of true religion, as well as the defence of the king's perſon and government, in oppoſition to all enemies, foreign and domeſtic. This contained a confeſſion of the proteſtant faith, a particular renunciation of the errors of popery, and the moſt ſolemn promiſes, in the name, and through the ſtrength of God, of adhering to each other in ſupporting the former, and contending againſt the latter, to the utmoſt of their power [r]. The king, the nobles, the clergy, and the people, ſubſcribed with equal alacrity. Strange or uncommon as ſuch a combination may now appear, many circumſtances contributed at that time to recommend it, and to render the idea familiar to the Scots. When rouſed by any extraordinary event, or alarmed by any public danger, the people of Iſrael were accuſtomed to bind themſelves, by a ſolemn covenant, to adhere to that religion which the Almighty had eſtabliſhed among them; this the Scots conſidered as a ſacred precedent, which it became them to imitate. In that age, no conſiderable enterpriſe was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned neceſſary for their ſecurity. The form of this religious confederacy is plainly borrowed from thoſe political ones, of which ſo many inſtances have occurred; the articles, ſtipulations, and peculiar modes of expreſſion, are exactly the ſame in both. Almoſt all the conſiderable popiſh princes were then joined in a league for extirpating the reformed religion, and nothing could be more natural, or ſeemed more efficacious, than to enter into a counter-aſſociation, in order to oppoſe the progreſs of that formidable conſpiracy. To theſe cauſes did the *covenant*, which is become ſo famous in hiſtory, owe its origin. It was renewed at different times during the reign of James . It was revived with great ſolemnity, though with conſiderable alterations, in the year one thouſand ſix hundred and thirty-eight. It was adopted by the Engliſh in the year one thouſand ſix hundred and forty-three, and enforced by the civil and eccleſiaſtical authority of both kingdoms. The political purpoſes to which it was then made ſubſervient, and the violent and unconſtitutional

[q] Camd. 544. Johnſt. 139. Spotſw. 369.
[r] Dunlop's Collect. of Confeſſ. vol. ii. 108. [s] Cald. iv. 129.

measures which it was then employed to promote, it is not our province to explain. But at the juncture in which it was first introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived, other than might have been expected from men alarmed with the impending danger of popery, and threatened with an invasion by the most bigoted and most powerful prince in Europe. BOOK VII. 1588.

PHILIP's eagerness to conquer England did not inspire him either with the vigour or dispatch necessary to ensure the success of so mighty an enterprise. His fleet, which ought to have sailed in April, did not enter the English channel till the middle of July. It hovered many days on the coast, in expectation of being joined by the prince of Parma, who was blocked up in the ports of Flanders by a Dutch squadron. Continual disasters pursued the Spaniards during that time; successive storms and battles, which are well known, conspired with their own ill conduct to disappoint their enterprise. And, by the blessing of Providence, which watched with remarkable care over the protestant religion and the liberties of Britain, the English valour scattered and destroyed the Armado, on which Philip had arrogantly bestowed the name of Invincible. After being driven out of the English seas, their shattered ships were forced to steer their course toward Spain, round Scotland and Ireland. Many of them suffered shipwreck on these dangerous and unknown coasts. Though James kept his subjects under arms, to watch the motions of the Spaniards, and to prevent their landing in an hostile manner, he received with great humanity seven hundred who were forced ashore by a tempest, and after supplying them with necessaries, permitted them to return into their own country. The Armado defeated.

ON the retreat of the Spaniards, Elizabeth sent an ambassador to congratulate with James, and to compliment him on the firmness and generosity he had discovered during a conjuncture so dangerous. But none of Ashby's promises were any longer remembered; that minister was even accused of having exceeded his powers, by his too liberal offers; and conscious of his own falsehood, or ashamed of being disowned by his court, he withdrew secretly out of Scotland[t].

PHILIP, convinced by fatal experience of his own rashness in attempting the conquest of England, by a naval arma- 1589. Philip's intrigues in Scotland.

[t] Johnst. 134. Camd. 548. Murdin, 635. 788.

BOOK VII. 1589.

ment, equipped at ſo great a diſtance, and ſubjected, in all its operations, to the delays, and dangers, and uncertainties, ariſing from ſeas and winds, reſolved to make his attack in another form, and to adopt the plan which the princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be eaſily wafted over from the Low Countries to that kingdom, and if they could once obtain footing, or procure aſſiſtance there, the frontier of England was open and defenceleſs, and the northern counties full of Roman catholics, who would receive them with open arms. Meanwhile, a deſcent might be threatened on the ſouthern coaſt, which would divide the Engliſh army, diſtract their councils, and throw the whole kingdom into terrible convulſions. In order to prepare the way for the execution of this deſign, he remitted a conſiderable ſum of money to Bruce, a ſeminary prieſt in Scotland, and employed him, together with Hay, Creighton, and Tyrie, Scottiſh jeſuits, to gain over as many perſons of diſtinction as poſſible to his intereſt. Zeal for popery, and the artful inſinuations of theſe emiſſaries, induced ſeveral noblemen to favour a meaſure which tended ſo manifeſtly to the deſtruction of their country. Huntly, though the king had lately given him in marriage the daughter of his favourite the duke of Lennox, continued warmly attached to the Romiſh church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correſpondence with the prince of Parma, and, in their letters to him, offered their ſervice to the king of Spain, and undertook, with the aid of ſix thouſand men, to render him maſter of Scotland, and to bring ſo many of their vaſſals into the field, that he ſhould be able to enter England with a numerous army. Francis Stewart, grandſon of James V.[u], whom the king had created earl of Bothwell, though influenced by no motive of religion, for he ſtill adhered to the proteſtant faith, was prompted merely by caprice, and the reſtleſſneſs of his nature, to join in this treaſonable correſpondence.

Popiſh nobles conſpire againſt the king.

Feb. 17. ALL theſe letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her own kingdom, ſent them immediately to the king, and, reproaching him with his former lenity towards the popiſh party, called upon him to check this formidable conſpiracy by a proper ſeverity. But James, though firmly attached to the proteſtant religion, though profoundly verſed in the theological controverſies be-

The king's maxims with regard to popery.

[u] He was the ſon of John Prior of Coldingham, one of James's natural children.

tween the Reformers and the church of Rome, though he had employed himself, at that early period of life, in writing a commentary on the Revelations, in which he laboured to prove the pope to be antichrist, had nevertheless adopted already those maxims concerning the treatment of the Roman catholics, to which he adhered through the rest of his life. The Roman catholics were at that time a powerful and active party in England; they were far from being an inconsiderable faction in his own kingdom. The pope and king of Spain were ready to take part in all their machinations, and to second every effort of their bigotry. The opposition of such a body to his succession to the crown of England, added to the averseness of the English from the government of strangers, might create him many difficulties. In order to avoid these, he thought it necessary to sooth rather than to irritate the Roman catholics, and to reconcile them to his succession, by the hopes of gentler treatment, and some mitigation of the rigour of those laws, which were now in force against them. This attempt to gain one party by promises of indulgence and acts of clemency, while he adhered with all the obstinacy of a disputant to the doctrines and tenets of the other, has given an air of mystery, and even of contradiction, to this part of the king's character. The papists, with the credulity of a sect struggling to obtain power, believed his heart to be wholly theirs; and the protestants, with the jealousy inseparable from those who are already in possession of power, viewed every act of lenity as a mark of indifference, or a symptom of apostacy. In order to please both, James often aimed at an excessive refinement, mingled with dissimulation, in which he imagined the perfection of government and of kingcraft to consist.

His excessive lenity to the conspirators.

His behaviour on this occasion was agreeable to these general maxims. Notwithstanding the solicitations of the queen of England, enforced by the zealous remonstrances of his own clergy, a short imprisonment was the only punishment he inflicted upon Huntly and his associates. But he soon had reason to repent an act of clemency so inconsistent with the dignity of government. The first use which the conspirators made of their liberty was, to assemble their followers, and, under pretence of removing chancellor Maitland, an able minister, but warmly devoted to the English interest, from the king's councils and presence, they attempted to seize James himself. This attempt being defeated, partly by Maitland's vigilance, and partly by their own ill-conduct, they were forced to retire to the North, where they openly erected the standard of rebellion. But as the king's govern-

BOOK VII. 1589.

ment was not generally unpopular, or his miniſters odious; their own vaſſals joined them ſlowly, and diſcovered no zeal in the cauſe. The king, in perſon, advancing againſt them with ſuch forces as he could ſuddenly levy, they durſt not rely ſo much on the fidelity of the troops, which, though ſuperior in number, followed them with reluctance, as to hazard a battle; but ſuffering them to diſperſe, they ſurrendered to the king, and threw themſelves on his mercy. Huntly, Errol, Crawford, and Bothwell, were all brought to a public trial. Repeated acts of treaſon were eaſily proved againſt them. The king, however, did not permit any ſentence to be pronounced; and, after keeping them a few months in confinement, he took occaſion, amidſt the public feſtivity, and rejoicings at the approach of his marriage, to ſet them at liberty[x].

The king's marriage with Anne of Denmark.

As James was the only deſcendant of the ancient monarchs of Scotland in the direct line; as all hopes of uniting the crowns of the two kingdoms would have expired with him; as the earl of Arran, the preſumptive heir to the throne, was lunatic; the king's marriage was, on all theſe accounts, an event which the nation wiſhed for with the utmoſt ardour. He himſelf was no leſs deſirous of accompliſhing it; and had made overtures for that purpoſe to the eldeſt daughter of Frederick II. king of Denmark. But Elizabeth, jealous of every thing that would render the acceſſion of the houſe of Stewart more acceptable to the Engliſh, endeavoured to perplex James, in the ſame manner ſhe had done Mary; and employed as many artifices to defeat or to retard his marriage. His miniſters, gained by bribes and promiſes, ſeconded her intention; and though ſeveral different ambaſſadors were ſent from Scotland to Denmark, they produced powers ſo limited, or inſiſted on conditions ſo extravagant, that Frederick could not believe the king to be in earneſt; and ſuſpecting that there was ſome deſign to deceive or amuſe him, gave his daughter in marriage to the duke of Brunſwick. Not diſcouraged by this diſappointment, which he imputed entirely to the conduct of his own miniſters, James made addreſſes to the princeſs Anne, Frederick's ſecond daughter. Though Elizabeth endeavoured to divert him from this by recommending Catherine the king of Navarre's ſiſter, as a more advantageous match; though ſhe prevailed on the privy council of Scotland to declare againſt the alliance with Denmark, he perſiſted in his choice; and deſpairing of overcoming the obſtinacy of

[x] Spotſw. 373. Cald. iv. 103—130.

his

his own miniſters in any other manner, he ſecretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the chancellor, whom they accuſed as the perſon whoſe artifices had hitherto diſappointed the wiſhes of the king and the expectations of his people. In conſequence of this, the earl mariſchal was ſent into Denmark at the head of a ſplendid embaſſy. He received ample powers and inſtructions, drawn with the king's own hand. The marriage articles were quickly agreed upon, and the young queen ſet ſail towards Scotland. James made great preparations for her reception, and waited her landing with all the impatience of a lover; when the unwelcome account arrived, that a violent tempeſt had ariſen, which drove back her fleet to Norway, in a condition ſo ſhattered, that there was little hope of its putting again to ſea before the ſpring. This unexpected diſappointment he felt with the utmoſt ſenſibility. He inſtantly fitted out ſome ſhips, and, without communicating his intention to any of his council, ſailed in perſon, attended by the chancellor, ſeveral noblemen, and a train of three hundred perſons, in queſt of his bride. He arrived ſafely in a ſmall harbour near Upſlo, where the queen then reſided. There the marriage was ſolemnized; and as it would have been raſh to truſt thoſe boiſterous ſeas in the winter ſeaſon, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, paſſed ſeveral months there, amidſt continual feaſting and amuſements, in which both the queen and himſelf had great delight [y].

BOOK VII. 1589. Oct. 22. Nov. 24.

No event in the king's life appears to be a wider deviation from his general character, than this ſudden ſally. His ſon Charles I. was capable of that exceſſive admiration of the other ſex, which ariſes from great ſenſibility of heart, heightened by elegance of taſte; and the romantic air of his journey to Spain ſuited ſuch a diſpoſition. But James was not ſuſceptible of any refined gallantry, and always expreſſed that contempt for the female character which a pedantic erudition, unacquainted with politeneſs, is apt to inſpire. He was exaſperated, however, and rendered impatient by the many obſtacles which had been laid in his way. He was anxious to ſecure the political advantages which he expected from marriage; and fearing that a delay might afford Elizabeth and his own miniſters an opportunity of thwarting him by new intrigues, he ſuddenly took the reſolution of preventing them, by a voyage from which he

[y] Melvil, 352. Spotſw. 377. Murdin, 637.

BOOK VII. 1589.

expected to return in a few weeks. The nation seemed to applaud his conduct, and to be pleased with this appearance of amorous ardour in a young prince. Notwithstanding his absence so long beyond the time he expected, the nobles, the clergy, and the people, vied with one another in loyalty and obedience; and no period in the king's reign was more remarkable for tranquillity, or more free from any eruption of those factions which so often disturbed the kingdom.

BOOK VIII.

BOOK VIII.

ON the first of May the king and queen arrived at Leith, and were received by their subjects with every possible expression of joy. The solemnity of the queen's coronation was conducted with great magnificence; but so low had the order of bishops fallen in the opinion of the public, that none of them were present on that occasion, and Mr. Robert Bruce, a presbyterian minister of great reputation, set the crown on her head, administered the sacred unction, and performed the other customary ceremonies.

1590. The king and queen arrive in Scotland.

THE zeal and success with which many of the clergy had contributed towards preserving peace and order in the kingdom, during his absence, reconciled James, in a great degree, to their persons, and even to the presbyterian form of government. In presence of an assembly, which met this year, he made high encomiums on the discipline as well as the doctrine of the church, promised to adhere inviolably to both, and permitted the assembly to frame such acts as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the presbyterian model [a].

August 4.

AN event happened soon after, which afforded the clergy no small triumph. Archbishop Adamson, their ancient opponent, having fallen under the king's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the clergy, and delivered to the assembly a formal recantation of all his opinions concerning church government, which had been matter of offence to the presbyterians. Such a confession, from the most learned person of the episcopal order, was considered as a testimony which the force of truth had extorted from an adversary [b].

1591.

MEANWHILE, the king's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the

Disorders in the kingdom.

[a] Cald. iv. 204. [b] Spotsw. 385. Cald. iv. 214.

deadly

BOOK VIII. 1591.

deadly quarrels between the great families, and of murders and aſſaſſinations perpetrated in the moſt audacious manner, and with circumſtances of the utmoſt barbarity. All the defects in the feudal ariſtocracy were now felt more ſenſibly, perhaps, than at any other period in the hiſtory of Scotland, and univerſal licence and anarchy prevailed to a degree ſcarce conſiſtent with the preſervation of ſociety: while the king, too gentle to puniſh, or too feeble to act with vigour, ſuffered all theſe enormities to paſs with impunity.

An attempt of Bothwell's againſt the king.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engroſſed his attention, and thoſe ſuſpected of it felt the whole weight of his authority. Many perſons, neither extremely old nor wretchedly poor, which were uſually held to be certain indications of this crime, but maſters of families, and matrons of a decent rank, and in the middle age of life, were ſeized and tortured. Though their confeſſions contained the moſt abſurd and incredible circumſtances, the king's prejudices, thoſe of the clergy and of the people, conſpired in believing their extravagancies without heſitation, and in puniſhing their perſons without mercy. Some of theſe unhappy ſufferers accuſed Bothwell of having conſulted them, in order to know the time of the king's death, and of having employed their art, to raiſe the ſtorms which had endangered the queen's life, and had detained James ſo long in Denmark. Upon this evidence that nobleman was committed to priſon. His turbulent and haughty ſpirit could neither ſubmit to the reſtraint, nor brook ſuch an indignity. Having gained his keepers, he made his eſcape, and imputing the accuſation to the artifices of his enemy the chancellor, he aſſembled his followers, under pretence of driving him from the king's councils. Being favoured by ſome of the king's attendants, he was admitted by a ſecret paſſage under cloud of night, into the court of the palace of Holy-rood-houſe. He advanced directly towards the royal apartment, but happily before he entered, the alarm was taken, and the doors ſhut.

Dec. 27.

While he attempted to burſt open ſome of them, and to ſet fire to others, the citizens of Edinburgh had time to run to their arms, and he eſcaped with the utmoſt difficulty; owing his ſafety to the darkneſs of the night, and the precipitancy with which he fled [c].

1592.

He retired towards the north, and the king having unadviſedly given a commiſſion to the earl of Huntly to purſue him and his followers with fire and ſword, he, under colour of

[c] Melv. 388. Spotſw. 386.

executing

executing that commiſſion, gratified his private revenge, and ſurrounded the houſe of the earl of Murray, burnt it to the ground, and ſlew Murray himſelf. The murder of a young nobleman of ſuch promiſing virtues, and the heir of the regent Murray, the darling of the people, excited univerſal indignation. The citizens of Edinburgh roſe in a tumultuous manner; and though they were reſtrained, by the care of the magiſtrates, from any act of violence, they threw aſide all reſpect for the king and his miniſters, and openly inſulted and threatened both. While this mutinous ſpirit continued, James thought it prudent to withdraw from the city, and fixed his reſidence for ſome time at Glaſgow. There Huntly ſurrendered himſelf to juſtice; and, notwithſtanding the atrociouſneſs of his crime, and the clamours of the people, the power of the chancellor, with whom he was now cloſely confederated, and the king's regard for the memory of the duke of Lennox, whoſe daughter he had married, not only protected him from the ſentence which ſuch an odious action merited, but exempted him even from the formality of a public trial [d].

BOOK VIII.

1592. Feb. 8.

A STEP of much importance was taken ſoon after with regard to the government of the church. The clergy had long complained of the encroachments made upon their privileges and juriſdiction by the acts of the parliament one thouſand five hundred and eighty-four, and though theſe laws had now loſt much of their force, they reſolved to petition the parliament, which was approaching, to repeal them in form. The juncture for puſhing ſuch a meaſure was well choſen. The king had loſt much of the public favour by his lenity towards the popiſh faction, and ſtill more by his remiſſneſs in purſuing the murderers of the earl of Murray. The chancellor had not only a powerful party of the courtiers combined againſt him, but was become odious to the people, who imputed to him every falſe ſtep in the king's conduct. Bothwell ſtill lurked in the kingdom, and being ſecretly ſupported by all the enemies of Maitland's adminiſtration, was ready every moment to renew his audacious enterpriſes. James, for all theſe reaſons, was extremely willing to indulge the clergy in their requeſt, and not only conſented to a law, whereby the acts of one thouſand five hundred and eighty-four were reſcinded or explained, but he carried his complaiſance ſtill further, and permitted the parliament to eſtabliſh the preſbyterian government, in its general aſſemblies, provincial ſynods, preſbyteries, and kirk

Preſbyterian church government eſtabliſhed by law.

[d] Spotſw. 387.

ſeſſions,

BOOK VIII. 1592.

ſeſſions, with all the different branches of their diſcipline and juriſdiction, in the moſt ample manner. All the zeal and authority of the clergy, even under the adminiſtration of regents, from whom they might have expected the moſt partial favour, could not obtain the ſanction of law, in confirmation of their mode of eccleſiaſtical government. No prince was ever leſs diſpoſed than James to approve a ſyſtem, whoſe republican genius inſpired a paſſion for liberty, ſo repugnant to his exalted notions of royal prerogative. Nor could any averſion be more inveterate than his, to the auſtere and uncomplying character of the preſbyterian clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and cenſured his conduct, with a freedom equally offenſive to his dogmatiſm as a theologian, and to his pride as a king. His ſituation, however, obliged him frequently to conceal, or to diſſemble, his ſentiments; and as he often diſguſted his ſubjects, by indulging the popiſh faction more than they approved, he endeavoured to atone for this by conceſſions to the preſbyterian clergy, more liberal than he himſelf would otherwiſe have choſen to grant[e].

In this parliament, Bothwell and all his adherents were attainted. But he ſoon made a new attempt to ſeize the king at Falkland; and James, betrayed by ſome of his courtiers, and feebly defended by others, who wiſhed well to Bothwell, as the chancellor's avowed enemy, owed his ſafety to the fidelity and vigilance of ſir Robert Melvil, and to the irreſolution of Bothwell's aſſociates[f].

A new conſpiracy of the popiſh lords.

Scarcely was this danger over, when the nation was alarmed with the diſcovery of a new and more formidable conſpiracy. George Ker, the lord Newbattle's brother, being ſeized as he was ready to ſet ſail for Spain, many ſuſpicious papers were found in his cuſtody, and among theſe, ſeveral blanks ſigned by the earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to eſcape any danger of diſcovery. But Ker's reſolution ſhrinking when torture was threatened, he confeſſed that he was employed by theſe noblemen to carry on a negotiation with the king of Spain; that the blanks ſubſcribed with their names were to be filled up by Crichton and Tyrie; that they were inſtructed to offer the faithful ſervice of the three earls to that monarch; and to ſolicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the firſt place, to

[e] Cald. iv. 248. 252. Spotſw. 388. [f] Melv. 402.

eſtabliſh

BOOK VIII.

eſtabliſh the Roman catholic religion in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accuſed of being privy to the conſpiracy, were taken into cuſtody, and confirmed all the circumſtances of his confeſſion[g].

1592.

1593. Zeal of the people,

THE nation having been for ſome time in continual terror and agitation by ſo many ſucceſſive conſpiracies, the diſcovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themſelves called upon to ſtand forth in defence of their country. The miniſters of Edinburgh, without waiting for any warrant from the king, who happened at that time to be abſent from the capital, and without having received any legal commiſſion, aſſembled a conſiderable number of peers and barons, in order to provide an inſtant remedy againſt the impending danger. They ſeized the earl of Angus, and committed him to the caſtle; they examined Ker; and prepared a remonſtrance to be laid before the king, concerning the ſtate of the nation, and the neceſſity of proſecuting the conſpirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with ſubjects, who, inſtead of petitioning, ſeemed to preſcribe to him, found it neceſſary, during the violence of the ferment, not only to adopt their plan, but even to declare that no conſideration ſhould ever induce him to pardon thoſe who had been guilty of ſo odious a treaſon. He ſummoned the earls of Huntly and Errol to ſurrender themſelves to juſtice. Graham of Fintry, whom his peers pronounced to be guilty of treaſon, he commanded to be publicly beheaded; and marching into the north at the head of an army, the two earls, together with Angus, who had eſcaped out of priſon, retired to the mountains. He placed garriſons in the caſtles which belonged to them; compelled their vaſſals, and the barons in the adjacent countries, to ſubſcribe a bond containing profeſſions of their loyalty towards him, and of their firm adherence to the proteſtant faith; and the better to ſecure the tranquillity of that part of the kingdom, conſtituted the earls of Athol and Mariſchal his lieutenants there[h].

and proceedings of the king againſt them.

Jan. 8.

March 18. Elizabeth ſolicits him to treat them with rigour.

HAVING finiſhed this expedition, James returned to Edinburgh, where he found lord Borrough, an extraordinary ambaſſador from the court of England. Elizabeth, alarmed at the diſcovery of a conſpiracy which ſhe conſidered as no leſs formidable to her own kingdom than to Scotland, re-

[g] Rymer, xvi. 190. [h] Spotſw. 301. Calд. iv. 291.

proached

BOOK VIII. 1593.

proached James with his former remiſſneſs, and urged him, as he regarded the preſervation of the proteſtant religion, or the dignity of his own crown, to puniſh this repeated treaſon with rigour; and if he could not apprehend the perſons, at leaſt to confiſcate the eſtates, of ſuch audacious rebels. She weakened however the force of theſe requeſts, by interceding at the ſame time in behalf of Bothwell, whom, according to her uſual policy in nouriſhing a factious ſpirit among the Scottiſh nobles, ſhe had taken under her protection. James abſolutely refuſed to liſten to any interceſſion in favour of one who had ſo often, and with ſo much outrage, inſulted both his government and his perſon. With regard to the popiſh conſpirators, he declared his reſolution to proſecute them with vigour; but that he might be the better able to do ſo, he demanded a ſmall ſum of money from Elizabeth, which ſhe, diſtruſtful perhaps of the manner in which he might apply it, ſhewed no inclination to grant. The zeal, however, and importunity of his own ſubjects obliged him to call a parliament, in order to paſs an act of attainder againſt the three earls. But before it met, Ker made his eſcape out of priſon, and, on pretence that legal evidence of their guilt could not be produced, nothing was concluded againſt them. The king himſelf was univerſally ſuſpected of having contrived this artifice, on purpoſe to elude the requeſts of the queen of England, and to diſappoint the wiſhes of his own people; and, therefore, in order to ſooth the clergy, who exclaimed loudly againſt his conduct, he gave way to the paſſing of an act, which ordained thoſe who obſtinately contemned the cenſures of the church to be declared outlaws [i].

Bothwell ſurpriſes the king.

WHILE the terror excited by the popiſh conſpiracy poſſeſſed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one was the chancellor, in whom the king repoſed entire confidence. For that very reaſon, perhaps, he had fallen early under the queen's diſpleaſure. The duke of Lennox, the earl of Athol, lord Ochiltree, and all the name of Stewart, eſpouſed her quarrel, and widened the breach. James, fond no leſs of domeſtic tranquillity than of public peace, adviſed his favourite to retire, for ſome time, in hopes that the queen's reſentment would ſubſide. But as he ſtood in need, in the preſent juncture, of the aſſiſtance of an able miniſter, he had recalled him to court. In order to prevent him from recovering his former power, the

[i] Cald. iv. 343. Spotſw. 393. Parl. 23 Jac. VI. c. 164.

Stewarts

Stewarts had recourſe to an expedient no leſs illegal than deſperate. Having combined with Bothwell, who was of the ſame name, they brought him back ſecretly into Scotland; and ſeizing the gates of the palace, introduced him into the royal apartment with a numerous train of armed followers. James, though deſerted by all his courtiers, and incapable of reſiſtance, diſcovered more indignation than fear, and reproaching them for their treachery, called on the earl to finiſh his treaſons, by piercing his ſovereign to the heart. But Bothwell fell on his knees, and implored pardon. The king was not in a condition to refuſe his demands. A few days after he ſigned a capitulation with this ſucceſsful traitor, to whom he was really a priſoner, whereby he bound himſelf to grant him a remiſſion for all paſt offences, and to procure the ratification of it in parliament; and in the mean time to diſmiſs the chancellor, the maſter of Glamis, lord Home, and ſir George Home, from his councils and preſence. Bothwell, on his part, conſented to remove from court, though he left there as many of his aſſociates as he thought ſufficient to prevent the return of the adverſe faction.

BOOK VIII. 1593. July 24.

BUT it was now no eaſy matter to keep the king under the ſame kind of bondage, to which he had been often ſubject during his minority. He diſcovered ſo much impatience to ſhake off his fetters, that thoſe who had impoſed, durſt not continue, the reſtraint. They permitted him to call a convention of the nobles at Stirling, and to repair thither himſelf. All Bothwell's enemies, and all who were deſirous of gaining the king's favour by appearing to be ſo, obeyed the ſummons. They pronounced the inſult offered to the king's perſon and authority to be high treaſon, and declared him abſolved from any obligation to obſerve conditions extorted by force, and which violated ſo eſſentially his royal prerogative. James, however, ſtill proffered him a pardon, provided he would ſue for it as an act of mercy, and promiſe to retire out of the kingdom. Theſe conditions Bothwell rejected with diſdain, and betaking himſelf once more to arms, attempted to ſurpriſe the king; but finding him on his guard, fled to the borders [k].

He recovers his liberty. Sept. 7.

THE king's ardour againſt Bothwell, compared with his ſlow and evaſive proceedings againſt the popiſh lords, occaſioned a general diſguſt among his ſubjects; and was imputed either to an exceſſive attachment to the perſons of thoſe conſpirators, or to a ſecret partiality towards their opinions;

Suſpected of favouring the popiſh lords.

[k] Cald. iv. 326. Spotſw. 395.

both

BOOK VIII.

both which gave rise to no unreasonable fears. The clergy, as the immediate guardians of the protestant religion, thought themselves bound, in such a juncture, to take extraordinary steps for its preservation. The provincial synod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late conspiracy, as obstinate and irreclaimable papists; and though none of the conspirators resided within the bounds of the synod, or were subject to its jurisdiction, such was the zeal of the members, that, overlooking this irregularity, they pronounced against them the sentence of excommunication, to which the act of last parliament added new terrors. Lest this should be imputed to a few men, and accounted the act of a small part of the church, deputies were appointed to attend the adjacent synods, and to desire their approbation and concurrence.

1593. Sept. 25.

His lenity towards them. Oct. 17.

An event happened a few weeks after which increased the people's suspicions of the king. As he was marching on an expedition against the borderers, the three popish earls coming suddenly into his presence, offered to submit themselves to a legal trial; and James, without committing them to custody, appointed a day for that purpose. They prepared to appear with a formidable train of their friends and vassals. But in the mean time the clergy, together with many peers and barons, assembling at Edinburgh, remonstrated against the king's extreme indulgence with great boldness, and demanded of him, according to the regular course of justice, to commit to sure custody persons charged with the highest acts of treason, who could not be brought to a legal trial, until they were absolved from the censures of the church; and to call a convention of estates, to deliberate concerning the method of proceeding against them. At the same time they offered to accompany him in arms to the place of trial, lest such audacious and powerful criminals should overawe justice, and dictate to the judges to whom they pretended to submit. James, though extremely offended, both with the irregularity of their proceedings, and the presumption of their demands, found it expedient to put off the day of trial, and to call a convention of estates, in order to quiet the fears and jealousies of the people. By being humoured in this point, their suspicions began gradually to abate, and the chancellor managed the convention so artfully, that he himself, together with a few other members, was impowered to pronounce a final sentence upon the

Nov. 26.

conspirators. After much deliberation they ordained, that the three earls and their associates should be exempted from

all

all further inquiry or proſecution, on account of their correſpondence with Spain; that, before the firſt day of February, they ſhould either ſubmit to the church, and publicly renounce the errors of popery, or remove out of the kingdom; that, before the firſt of January, they ſhould declare which of theſe alternatives they would embrace; that they ſhould find ſurety for their peaceable demeanor for the future; and that if they failed to ſignify their choice in due time, they ſhould loſe the benefit of this act of *abolition*, and remain expoſed to all the pains of law[1]. BOOK VIII. 1593.

By this lenity towards the conſpirators, James incurred much reproach, and gained no advantage. Devoted to the popiſh ſuperſtition, ſubmiſſive to all the dictates of their prieſts, and buoyed up with hopes and promiſes of foreign aid, the three earls refuſed to accept of the conditions, and continued their treaſonable correſpondence with the court of Spain. A convention of eſtates pronounced them to have forfeited the benefit of the articles which were offered; and the king required them, by proclamation, to ſurrender themſelves to juſtice. The preſence of the Engliſh ambaſſador contributed, perhaps, to the vigour of theſe proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to puniſh the popiſh lords to a ſecret approbation of their deſigns, had ſent lord Zouche to repreſent, once more, the danger to which he expoſed himſelf, by this falſe moderation; and to require him to exerciſe that rigour which their crimes, as well as the poſture of affairs, rendered neceſſary. Though the ſteps now taken by the king ſilenced all complaints on that head, yet Zouche, forgetful of his character as an ambaſſador, entered into private negotiations with ſuch of the Scottiſh nobles as diſapproved of the king's meaſures, and held almoſt an open correſpondence with Bothwell, who, according to the uſual artifice of malecontents, pretended much ſolicitude for reforming the diſorders of the commonwealth; and covered his own ambition with the ſpecious veil of zeal againſt thoſe counſellors who reſtrained the king from purſuing the avowed enemies of the proteſtant faith. Zouche encouraged him, in the name of his miſtreſs, to take arms againſt his ſovereign. 1594. Jan. 18.

A new attempt of Bothwell's.

Meanwhile, the king and the clergy were filled with mutual diſtruſt of each other. They were jealous, perhaps, to exceſs, that James's affections leaned too much towards the popiſh faction; he ſuſpected them, without good reaſon, of

[1] Cald. iv. 330. Spotſw. 397.

BOOK VIII. 1594.

prompting Bothwell to rebellion, and even of ſupplying him with money for that purpoſe. Little inſtigation, indeed, was wanting to rouſe ſuch a turbulent ſpirit as Bothwell's, to any daring enterpriſe. He appeared ſuddenly within a mile of Edinburgh, at the head of four hundred horſe. The pretences, by which he endeavoured to juſtify this inſurrection, were extremely popular; zeal for religion, enmity to popery, concern for the king's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horſemen of lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with zeal, he promiſed to proceed againſt the popiſh lords with the utmoſt rigour of law. Animated by their miniſters, the citizens ran cheerfully to their arms, and advanced, with the king at their head, againſt Bothwell; but he, notwithſtanding his ſucceſs in putting to flight lord Home, who had raſhly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the king. His followers abandoned him ſoon after, and diſcouraged by ſo many ſucceſſive diſappointments, could never afterwards be brought to venture into the field. He betook himſelf to his uſual lurking-places in the north of England; but Elizabeth, in compliance with the king's remonſtrances, obliged him to quit his retreat[m].

Freſh dangers from the popiſh lords.

April 3.

No ſooner was the king delivered from one danger, than he was called to attend to another. The popiſh lords, in conſequence of their negotiations with Spain, received in the ſpring a ſupply of money from Philip. What bold deſigns this might inſpire, it was no eaſy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the moſt deſperate actions were to be dreaded. The aſſembly of the church immediately took the alarm; remonſtrated againſt them with more bitterneſs than ever; and unanimouſly ratified the ſentence of excommunication pronounced by the ſynod of Fife. James himſelf, provoked by their obſtinacy and ingratitude, and afraid that his long forbearance would not only be generally diſpleaſing to his own ſubjects, but give riſe to unfavourable ſuſpicions among the Engliſh, exerted himſelf

June 8.

with unuſual vigour. He called a parliament; laid before it all the circumſtances and aggravations of the conſpiracy; and though there were but few members preſent, and ſeveral

[m] Spotſw. 463. Cald. iv. 359.

of

of theſe connected with the conſpirators by blood or friendſhip, he prevailed on them, by his influence and importunity, to pronounce the moſt rigorous ſentence which the law can inflict. They were declared to be guilty of high treaſon, and their eſtates and honours forfeited. At the ſame time, ſtatutes, more ſevere than ever, were enacted againſt the profeſſors of the popiſh religion. BOOK VIII. 1594.

How to put this ſentence in execution, was a matter of great difficulty. Three powerful barons, cantoned in a part of the country of difficult acceſs, ſurrounded with numerous vaſſals, and ſupported by aid from a foreign prince, were more than an overmatch for a Scottiſh monarch. No intreaty could prevail on Elizabeth to advance the money neceſſary for defraying the expences of an expedition againſt them. To attack them in perſon, with his own forces alone, might have expoſed James both to diſgrace and to danger. He had recourſe to the only expedient which remained in ſuch a ſituation, for aiding the impotence of ſovereign authority; he delegated his authority to the earl of Argyll and lord Forbes, the leaders of two clans at enmity with the conſpirators; and gave them a commiſſion to invade their lands, and to ſeize the caſtles which belonged to them. Bothwell, notwithſtanding all his high pretenſions of zeal for the proteſtant religion, having now entered into a cloſe confederacy with them, the danger became every day more urging. Argyll, ſolicited by the king, and rouſed by the clergy, took the field at the head of ſeven thouſand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but compoſed chiefly of gentlemen of the low countries, mounted on horſeback, and who brought along with them a train of field-pieces. They encountered each other with all the fury which hereditary enmity and ancient rivalſhip add to undiſciplined courage. But the Highlanders, diſconcerted by the firſt diſcharge of the cannon, to which they were little accuſtomed, and unable to reſiſt the impreſſion of cavalry, were ſoon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their diſgrace, and calling on them to ſtand, and to vindicate the honour of their name[n]. Battle of Glenlivat. Oct. 3. 1595.

On the firſt intelligence of this defeat, James, though obliged to pawn his jewels in order to raiſe money[o], aſſembled a ſmall body of troops, and marched towards the north. He was joined by the Irvines, Keiths, Leſlys, Forbeſes, and

[n] Cald. iv. 408. [o] Birch, Mem. i. 186.

BOOK VIII. 1595.

other clans at enmity with Huntly and Errol, who having loſt ſeveral of their principal followers at Glenlivat, and others refuſing to bear arms againſt the king in perſon, were obliged to retire to the mountains. James waſted their lands; put garriſons in ſome of their caſtles; burnt others; and left the duke of Lennox as his lieutenant in that part of the kingdom, with a body of men ſufficient to reſtrain them from gathering to any head there, or from infeſting the low country. Reduced at laſt to extreme diſtreſs by the rigour of the ſeaſon, and the deſertion of their followers, they obtained the king's permiſſion to go beyond ſeas, and gave ſecurity that they ſhould neither return without his licenſe, nor engage in any new intrigues againſt the proteſtant religion, or the peace of the kingdom [p].

Popiſh lords driven out of the kingdom.

By their exile, tranquillity was re-eſtabliſhed in the north of Scotland; and the firmneſs and vigour which James had diſplayed in his laſt proceedings againſt them, regained him, in a great degree, the confidence of his proteſtant ſubjects. But he ſunk, in the ſame proportion, and for the ſame reaſon, in the eſteem of the Roman catholics. They had aſſerted his mother's right to the crown of England with ſo much warmth, that they could not, with any decency, reject his; and the indulgence, with which he affected to treat the profeſſors of that religion, inſpired them with ſuch hopes, that they viewed his acceſſion to the throne as no undeſirable event. But the rigour with which the king had lately purſued the conſpirators, and the ſevere ſtatutes againſt popery to which he had given his conſent, convinced them that theſe hopes were viſionary; and they began to look about in queſt of ſome new ſucceſſor, whoſe rights they might oppoſe to his. The papiſts who reſided in England turned their eyes towards the earl of Eſſex, whoſe generous mind, though firmly eſtabliſhed in the proteſtant faith, abhorred the ſeverities inflicted in that age on account of religious opinions. Thoſe of the ſame ſect, who were in exile, formed a bolder ſcheme, and one more ſuitable to their ſituation. They advanced the claim of the infanta of Spain; and Parſons the jeſuit publiſhed a book, in which, by falſe quotations from hiſtory, by fabulous genealogies, and abſurd arguments, intermingled with bitter invectives againſt the king of Scots, he endeavoured to prove the infanta's title to the Engliſh crown to be preferable to his. Philip, though involved already in a war both with France and England, and ſcarce able to defend the remains of the Burgundian provinces

The Roman catholics incenſed againſt James.

[p] Spotſw. 404. Calд. 373, &c.

againſt

against the Dutch commonwealth, eagerly graſped at this airy project. The dread of a Spaniſh pretender to the crown, and the oppoſition which the papiſts began to form againſt the king's ſucceſſion, contributed not a little to remove the prejudices of the proteſtants, and to prepare the way for that event. B. O. O. K. VIII. 1595.

Bothwell forced to fly into Spain.

BOTHWELL, whoſe name has been ſo often mentioned as the diſturber of the king's tranquillity, and of the peace of the kingdom, was now in a wretched condition. Abandoned by the queen of England, on account of his confederacy with the popiſh lords; excommunicated by the church for the ſame reaſon; and deſerted in his diſtreſs by his own followers; he was obliged to fly for ſafety to France, and thence to Spain and Italy, where, after renouncing the proteſtant faith, he led many years an obſcure and indigent life, remarkable only for a low and infamous debauchery. The king, though extremely ready to ſacrifice the ſtrongeſt reſentment to the ſlighteſt acknowledgments, could never be ſoftened by his ſubmiſſion, nor be induced to liſten to any interceſſion in his behalf [q].

THIS year the king loſt chancellor Maitland, an able miniſter, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote, in honour of his memory, a copy of verſes, which, when compared with the compoſitions of that age, are far from being inelegant [r].

A change in the adminiſtration.

SOON after his death, a conſiderable change was made in the adminiſtration. At that time, the annual charges of government far exceeded the king's revenues. The queen was fond of expenſive amuſements. James himſelf was a ſtranger to œconomy. It became neceſſary, for all theſe reaſons, to levy the public revenues with greater order and rigour, and to huſband them with more care. This important truſt was committed to eight gentlemen of the law [s], who, from their number, were called *Octavians*. The powers veſted in them were ample, and almoſt unlimited. The king bound himſelf neither to add to their number, nor to ſupply any vacancy that might happen, without their conſent: and knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a penſion, or order on the treaſury, ſhould be held valid, unleſs it were ratified by the ſubſcription of five of the commiſſioners; all

[q] Winw. Mem. i. Spotſw. 410. [r] Spotſw. 411.

[s] Alexander Seaton preſident of the ſeſſion, Walter Stewart commendator of Blantyre lord privy ſeal, David Carnegy, John Lindſay, James Elphingſton, Thomas Hamilton, John Skene clerk regiſter, and Peter Young elemoſynar.

BOOK VIII. 1595.

their acts and decisions were declared to be of equal force with the sentence of judges in civil courts; and in consequence of them, and without any other warrant, any person might be arrested, or their goods seized. Such extensive jurisdiction, together with the absolute disposal of the public money, drew the whole executive part of the government into their hands. United among themselves, they gradually undermined the rest of the king's ministers, and seized on every lucrative or honourable office. The ancient servants of the crown repined at being obliged to quit their stations to new men. The favourites and young courtiers murmured at seeing the king's liberality stinted by their prescriptions. And the clergy exclaimed against some of them as known apostates to popery, and suspected others of secretly favouring it. They retained their power, however, notwithstanding this general combination against them; and they owed it entirely to the order and œconomy which they introduced into the administration of the finances, by which the necessary expences of government were more easily defrayed than in any other period of the king's reign [t].

Violence of the nation against the popish lords.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled both England and Scotland with the dread of a new invasion. James took proper measures for the defence of his kingdom. But these did not satisfy the zeal of the clergy, whose suspicions of the king's sincerity began to revive; and as he had permitted the wives of the banished peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the protestant faith. The assembly of the church took under consideration the state of the kingdom, and having appointed a day of public fasting, they solemnly renewed the covenant, by which the nation was bound to adhere to the protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent clergymen, and of many barons and gentlemen of distinction, waited on the king, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished lords as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents with the utmost rigour.

March 24.

[t] Spotsw. 413. 435.

Nothing

BOOK VIII.

1596.

NOTHING could be more repugnant to the king's ſchemes, or more diſagreeable to his inclination, than theſe propoſitions. Averſe, through his whole life, to any courſe where he expected oppoſition or danger; and fond of attaining his ends with the character of moderation, and by the arts of policy, he obſerved with concern the prejudices againſt him which were growing among the Roman catholics, and reſolved to make ſome atonement for that part of his conduct which had drawn upon him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any popiſh competitor ſhould ariſe to diſpute his right of ſucceſſion, a faction ſo powerful as that of the baniſhed lords might be extremely formidable; and any diviſion among his own ſubjects might prove fatal at a juncture which would require their united and moſt vigorous efforts. Inſtead, therefore, of the additional ſeverities which the aſſembly propoſed, James had thoughts of mitigating the puniſhment which they already ſuffered. And as they were ſurrounded, during their reſidence in foreign parts, by Philip's emiſſaries; as reſentment might diſpoſe them to liſten more favourably than ever to their ſuggeſtions; as deſpair might drive them to ſtill more atrocious actions; he reſolved to recall them, under certain conditions, into their native country. Encouraged by theſe ſentiments of the king in their favour, of which they did not want intelligence, and wearied already of the dependant and anxious life of exiles, they ventured to return ſecretly into Scotland. Soon after, they preſented a petition to the king, begging his permiſſion to reſide at their own houſes, and offering to give ſecurity for their peaceable and dutiful behaviour. James called a convention of eſtates to deliberate on a matter of ſuch importance, and by their advice he granted the petition.

The king's remiſſneſs with regard to them.

As ſoon as they were informed of this, the members of a committee, appointed by the laſt general aſſembly, met at Edinburgh, and with all the precipitancy of fear, and of zeal, took ſuch reſolutions as they thought neceſſary for the ſafety of the kingdom. They wrote circular letters to all the preſbyteries in Scotland; they warned them of the approaching danger; they exhorted them to ſtir up their people to the defence of their juſt rights; they commanded them to publiſh, in all their pulpits, the act excommunicating the popiſh lords; and enjoined them to lay all thoſe who were ſuſpected of favouring popery under the ſame cenſure by a ſummary ſentence, and without obſerving the uſual formalities of trial. As the danger ſeemed too preſſing to wait for the ſtated meetings of the judicatories of the

The raſh proceedings of the clergy and people.

BOOK VIII. 1596.

church, they made choice of the moſt eminent clergymen in different corners of the kingdom, appointed them to reſide conſtantly at Edinburgh, and to meet every day with the miniſters of that city, under the name of the *Standing Council of the Church*, and veſted in this body the ſupreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the church ſhould receive no detriment.

THESE proceedings, no leſs unconſtitutional than unprecedented, were manifeſt encroachments on the royal prerogative, and bold ſteps towards open rebellion. The king's conduct, however, juſtified in ſome degree ſuch exceſſes. His lenity towards the papiſts, ſo repugnant to the principles of that age; his pardoning the conſpirators, notwithſtanding repeated promiſes to the contrary; the reſpect he paid to lady Huntly, who was attached to the Romiſh religion no leſs than her huſband; his committing the care of his daughter, the princeſs Elizabeth, to lady Levingſton, who was infected with the ſame ſuperſtition; the contempt with which he talked, on all occaſions, both of the character of miniſters, and of their function; were circumſtances which might have filled minds, not prone by nature to jealouſy, with ſome ſuſpicions; and might have precipitated into raſh counſels thoſe who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the clergy, or however laudable the end they had in view, they conducted their meaſures with no addreſs, and even with little prudence. James diſcovered a ſtrong inclination to avoid a rupture with the church, and, jealous as he was of his prerogative, would willingly have made many conceſſions for the ſake of peace. By his command ſome of the privy counſellors had an interview with the more moderate among the clergy, and inquired whether Huntly and his aſſociates might not, upon making proper acknowledgments, be again received into the boſom of the church, and be exempted from any further puniſhment on account of their paſt apoſtacy and treaſons. They replied, that though the gate of mercy ſtood always open for thoſe who repented and returned, yet as theſe noblemen had been guilty of idolatry, a crime deſerving death both by the law of God and of man, the civil magiſtrate could not legally grant them a pardon; and even though the church ſhould abſolve them, it was his duty to inflict puniſhment upon them. This inflexibility in thoſe who were reckoned the moſt compliant of the order, filled the king with indigna-

tion,

tion, which the imprudence and obſtinacy of a private clergyman heightened into rage.

1596. Mr. David Black, miniſter of St. Andrew's, diſcourſing in one of his ſermons, according to cuſtom, concerning the ſtate of the nation, affirmed that the king had permitted the popiſh lords to return into Scotland, and by that action had diſcovered the treachery of his own heart; that all kings were the devil's children; that Satan had now the guidance of the court; that the queen of England was an atheiſt; that the judges were miſcreants and bribers; the nobility godleſs and degenerate; the privy counſellors cormorants, and men of no religion; and in his prayer for the queen he uſed theſe words, we muſt pray for her for faſhion-ſake, but we have no cauſe, ſhe will never do us good. James commanded him to be ſummoned before the privy council, to anſwer for ſuch ſeditious expreſſions; and the clergy, inſtead of abandoning him to the puniſhment which ſuch a petulant and criminal attack on his ſuperiors deſerved, were ſo imprudent as to eſpouſe his cauſe, as if it had been the common one of the whole order. The controverſy concerning the immunities of the pulpit, and the rights of the clergy to teſtify againſt vices of every kind, which had been agitated in one thouſand five hundred and eighty-four, was now revived. It was pretended that, with regard to their ſacred function, miniſters were ſubject to the church alone; that it belonged only to their eccleſiaſtical ſuperiors to judge of the truth or falſehood of doctrines delivered in the pulpit; that if, upon any pretence whatever, the king uſurped this juriſdiction, the church would, from that moment, ſink under ſervitude to the civil magiſtrate; that, inſtead of reproving vice with that honeſt boldneſs which had often been of advantage to individuals, and ſalutary to the kingdom, the clergy would learn to flatter the paſſions of the prince, and to connive at the vices of others; that the king's eagerneſs to puniſh the indiſcretion of a proteſtant miniſter, while he was ſo ready to pardon the crimes of popiſh conſpirators, called on them to ſtand upon their guard, and that now was the time to contend for their privileges, and to prevent any encroachment on thoſe rights, of which the church had been in poſſeſſion ever ſince the Reformation. Influenced by theſe conſiderations, the council of the church enjoined Black to decline the juriſdiction of the privy council. Proud of ſuch an opportunity to diſplay his zeal, he preſented a paper to that purpoſe, and with the utmoſt firmneſs refuſed to plead, or to anſwer the queſtions which were put to him. In order to add greater weight to theſe proceedings,

Seditious doctrine taught by Black.

Nov. 10. The clergy eſpouſe his defence.

BOOK VIII. 1596.

ings, the council of the church tranſmitted the *declinature* to all the preſbyteries throughout the kingdom, and enjoined every miniſter to ſubſcribe it, in teſtimony of his approbation.

JAMES defended his rights with no leſs vigour than they were attacked. Senſible of the contempt under which his authority muſt fall, if the clergy ſhould be permitted publicly, and with impunity, to calumniate his miniſters, and even to cenſure himſelf; and knowing, by former examples, what unequal reparation for ſuch offences he might expect from the judicatories of the church, he urged on the inquiry into Black's conduct, and iſſued a proclamation, commanding the members of the council of the church to leave Edinburgh, and to return to their own pariſhes. Black, inſtead of ſubmitting, renewed his *declinature*; and the members of the council, in defiance of the proclamation, declared, that as they met by the authority of the church, obedience to it was a duty ſtill more ſacred than that which they owed to the king himſelf. The privy council, notwithſtanding Black's refuſing to plead, proceeded in the trial; and, after a ſolemn inquiry, pronounced him guilty of the crimes of which he had been accuſed; but referred it to the king to appoint what puniſhment he ſhould ſuffer.

MEANWHILE, many endeavours were uſed to bring matters to accommodation. Almoſt every day produced ſome new ſcheme of reconcilement; but through the king's ficklenes, the obſtinacy of the clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accuſations endeavoured to render each other odious. Inſolence, ſedition, treaſon, were the crimes with which James charged the clergy; while they made the pulpits reſound with complaints of his exceſſive lenity towards papiſts, and of the no leſs exceſſive rigour with which he oppreſſed the eſtabliſhed church. Exaſperated by their bold invectives, he, at laſt, ſentenced Black to retire beyond the river Spey, and to reſide there during his pleaſure; and once more commanding the members of the ſtanding council to depart from Edinburgh, he required all the miniſters in the kingdom to ſubſcribe a bond, obliging themſelves to ſubmit, in the ſame manner as other ſubjects, to the juriſdiction of the civil courts in matters of a civil nature.

A tumult in Edinburgh.

THIS deciſive meaſure excited all the violent paſſions which poſſeſs diſappointed factions; and deeds no leſs violent immediately followed. Theſe muſt be imputed in part to the artifices of ſome courtiers, who expected to reap advantage

vantage from the calamities of their country, or who hoped to leſſen the authority of the Octavians, by engaging them in hoſtilities with the church. On one hand, they informed the king, that the citizens of Edinburgh were under arms every night, and had planted a ſtrong guard round the houſes of their miniſters. James, in order to put a ſtop to this imaginary inſult on his government, iſſued a proclamation, commanding twenty-four of the principal citizens to leave the town within ſix hours. On the other hand, they wrote to the miniſters, adviſing them to look to their own ſafety, as Huntly had been ſecretly admitted to an interview with the king, and had been the author of the ſevere proclamation againſt the citizens of Edinburgh[a]. They doubted no more of the truth of this intelligence, than the king had done of that which he received, and fell as blindly into the ſnare. The letter came to their hands juſt as one of their number was going to mount the pulpit. They reſolved that he ſhould acquaint the people of their danger: and he painted it with all the ſtrong colours which men naturally employ in deſcribing any dreadful and inſtant calamity. When the ſermon was over, he deſired the nobles and gentlemen to aſſemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither; they promiſed and vowed to ſtand by the clergy; they drew up a petition to the king, craving the redreſs of thoſe grievances, of which the church complained, and beſeeching him to deliver them from all future apprehenſions of danger, by removing ſuch of his counſellors as were known to be enemies of the proteſtant religion. Two peers, two gentlemen, two burgeſſes, and two miniſters, were appointed to preſent it. The king happened to be in the great hall of the Tolbooth, where the court of ſeſſion was ſitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply; the petitioners inſiſted with warmth; and a promiſcuous multitude preſſing into the room, James retired abruptly into another apartment, and commanded the gates to be ſhut behind him. The deputies returned to the multitude, who were ſtill aſſembled, and to whom a miniſter had been reading, in their abſence, the ſtory of Haman. When they reported

1596.

Decem. 17.

The king in danger.

[a] Though matters were induſtriouſly aggravated by perſons, who wiſhed both parties to purſue violent meaſures, neither of theſe reports was altogether deſtitute of foundation. As their miniſters were ſuppoſed to be in danger, ſome of the more zealous citizens had determined to defend them by force of arms. Birch. Mem. ii. 250. Huntly had been privately in Edinburgh, where he had an interview, if not with the king, at leaſt with ſome of his miniſters. Birch. Ibid. 230.

that

BOOK VIII. 1596.

that the king had refuſed to liſten to their petitions, the church was filled in a moment with noiſe, threatenings, execrations, and all the outrage and confuſion of a popular tumult. Some called for their arms, ſome to bring out the wicked Haman; others cried, The ſword of the Lord and of Gideon; and, ruſhing out with the moſt furious impetuoſity, ſurrounded the Tolbooth, threatening the king himſelf, and demanding ſome of his counſellors, whom they named, that they might tear them in pieces. The magiſtrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the king attempted to ſoothe the malecontents, by promiſing to receive their petitions, when preſented in a regular manner; the miniſters, ſenſible of their own raſhneſs in kindling ſuch a flame, ſeconded both; and the rage of the populace ſubſiding as ſuddenly as it had riſen, they all diſperſed, and the king returned to the palace; happy in having eſcaped from an inſurrection, which, though the inſtantaneous and unconcerted effect of popular fury, had expoſed his life to imminent danger, and was conſidered by him as an unpardonable affront to his authority [z].

As ſoon as he retired, the leaders of the malecontents aſſembled, in order to prepare their petition. The puniſhment of the popiſh lords; the removal of thoſe counſellors who were ſuſpected of favouring their perſons or opinions; the repeal of all the late acts of council, ſubverſive of the authority of the church; together with an act approving the proceedings of the ſtanding council; were the chief of their demands. But the king's indignation was ſtill ſo high, that the deputies, choſen for this purpoſe, durſt not venture that night to preſent requeſts, which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the ſeſſion, and other courts of juſtice, were required to leave a city where it was no longer conſiſtent either with their ſafety, or their dignity, to remain; and the noblemen and barons were commanded to return to their own houſes, and not to reaſſemble without the king's permiſſion. The vigour with which the king acted, ſtruck a damp upon the ſpirits of his adverſaries. The citizens, ſenſible how much they would ſuffer by his abſence, and the removal of the courts of juſtice, repented already of their conduct. The miniſters alone reſolved to maintain the conteſt. They endeavoured to prevent the nobles from diſperſing; they

He leaves Edinburgh, and proceeds with ſeverity againſt the citizens.

[z] Spotſw. 417, &c. Cald. v. 54, &c. Birch Mem. ii. 235.

inflamed

inflamed the people by violent invectives against the king, they laboured to procure subscriptions to an association for their mutual defence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the ministers of Edinburgh wrote to lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the church, had taken arms; that many of the nobles had determined to protect the protestant religion, which owed its establishment to the piety and valour of their ancestors; that they wanted only a leader to unite them, and to inspire them with vigour; that his zeal for the good cause, no less than his noble birth, entitled him to that honour: they conjured him, therefore, not to disappoint their hopes and wishes, nor to refuse the suffering church that aid which she so much needed. Lord Hamilton, instead of complying with their desire, carried the letter directly to the king, whom this new insult irritated to such a degree, that he commanded the magistrates of Edinburgh instantly to seize their ministers, as manifest incendiaries, and encouragers of rebellion. The magistrates, in order to regain the king's favour, were preparing to obey; and the ministers, who saw no other hope of safety, fled towards England [y]. 1598. 1597.

The king humbles the power of the church. Jan. 3.

This unsuccessful insurrection, instead of overturning, established the king's authority. Those concerned in it were confounded and dispersed. The rest of James's subjects, in order to avoid suspicion, or to gain his favour, contended who should be most forward to execute his vengeance. A convention of estates being called, pronounced the late insurrection to be high treason; ordained every minister to subscribe a declaration of his submission to the king's jurisdiction, in all matters civil and criminal; impowered magistrates to commit, instantly, to prison any minister, who, in his sermons, should utter any indecent reflections on the king's conduct; prohibited any ecclesiastical judicatory to meet without the king's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the king's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action [z].

Abridges the privileges of the citizens of Edinburgh.

Armed with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects.

[y] Spotsw. 451. Calderw. v. 126. [z] Calderw. v. 147.

As

BOOK VIII. 1597. As the clergy had hitherto derived their chief credit and ſtrength from the favour and zeal of the citizens of Edinburgh, his firſt care was to humble them. Though the magiſtrates ſubmitted to him in the moſt abject terms; though they vindicated themſelves, and their fellow-citizens, from the moſt diſtant intention of violating his royal perſon or authority; though, after the ſtricteſt ſcrutiny, no circumſtances that could fix on them the ſuſpicion of premeditated rebellion had been diſcovered; though many of the nobles, and ſuch of the clergy as ſtill retained any degree of favour, interceded in their behalf; neither acknowledgments nor interceſſions were of the leaſt avail [a].

Feb. 28. The king continued inexorable; the city was declared to have forfeited its privileges as a corporation, and to be liable to all the penalties of treaſon. The capital of the kingdom, deprived of magiſtrates, deſerted by its miniſters, abandoned by the courts of juſtice, and proſcribed by the king, remained in deſolation and deſpair. The courtiers even threatened to raſe the city to the foundation, and to erect a pillar where it ſtood, as an everlaſting monument of the king's vengeance, and of the guilt of its inhabitants. At laſt, in compliance with Elizabeth, who interpoſed in their favour, and moved by the continual ſolicitations of

March 21. the nobles, James abſolved the citizens from the penalties of law, but at the ſame time he ſtripped them of their moſt important privileges; they were neither allowed to elect their own magiſtrates nor their own miniſters; many new burdens were impoſed on them; and a great ſum of money was exacted by way of peace-offering [b].

New regulations with regard to the church. JAMES was, meanwhile, equally aſſiduous, and no leſs ſucceſsful, in circumſcribing the juriſdiction of the church. Experience had diſcovered that to attempt this, by acts of parliament, and ſentences of privy council, was both ineffectual and odious. He had recourſe now to an expedient more artful, and better calculated for obtaining his end. The eccleſiaſtical judicatories were compoſed of many members; the majority of the clergy were extremely indigent, and unprovided of legal ſtipends; the miniſters in the neighbourhood of Edinburgh, notwithſtanding the parity eſtabliſhed by the preſbyterian government, had aſſumed a leading in the church, which filled their brethren with envy; every numerous body of men is ſuſceptible of ſudden and ſtrong impreſſions, and liable to be influenced, corrupted, or overawed. Induced by theſe

[a] Cald. v. 149. [b] Spotſw. 434. 444.

conſidera-

considerations, James thought it possible to gain the clergy, whom he had in vain attempted to subdue. Proper agents were set to work all over the kingdom; promises, flattery, and threats, were employed; the usurpations of the brethren near the capital were aggravated; the jealousy of their power, which was growing in the distant provinces, was augmented; and two different general assemblies were held, in both which, notwithstanding the zeal and boldness wherewith a few leading clergymen defended the privileges of the church, a majority declared in favour of those measures which were agreeable to the king. Many practices, which continued since the Reformation, were condemned; many points of discipline, which had hitherto been reckoned sacred and uncontroverted, were given up; the license, with which ministers discoursed of political matters, was restrained; the freedom, with which they inveighed against particular persons, censured; sentences of summary excommunication declared unlawful; the convoking a general assembly, without the king's permission, prohibited; and the right of nominating ministers to the principal towns, vested in the crown. Thus, the clergy themselves surrendered privileges, which it would have been dangerous to invade, and voluntarily submittted to a yoke more intolerable than any James would have ventured to impose by force; while such as continued to oppose his measures, instead of their former popular topic of the king's violent encroachments on a jurisdiction which did not belong to him, were obliged to turn their outcries against the corruptions of their own order [c].

BOOK VIII. 1597.

By the authority of these general assemblies, the popish earls were allowed to make a public recantation of their errors; were absolved from the sentence of excommunication; and received into the bosom of the church. But, not many years after, they relapsed into their former errors, were again reconciled to the church of Rome, and by their apostacy justified, in some degree, the fears and scruples of the clergy with regard to their absolution.

Popish lords pardoned.

The ministers of Edinburgh owed to the intercession of these assemblies the liberty of returning to their charges in the city. But this liberty was clogged in such a manner as greatly abridged their power. The city was divided into distinct parishes; the number of ministers doubled; persons on whose fidelity the king could rely were fixed in the new

[c] Spotsw. 433. Cald. v. 189, 233.

parishes;

BOOK VIII. parishes; and these circumstances, added to the authority of the late decrees of the church, contributed to confirm that absolute dominion in ecclesiastical affairs, which James possessed during the remainder of his reign.

1597.

THE king was so intent on new modelling the church, that the other transactions of this period scarce deserve to be remembered. The Octavians, envied by the other courtiers, and splitting into factions among themselves, resigned their commission; and the administration of the revenue returning into its former channel, both the king and the nation were deprived of the benefit of their regular and frugal œconomy.

Dec. 19. TOWARDS the end of the year a parliament was held, in order to restore Huntly and his associates to their estates and honours, by repealing the act of forfeiture passed against them. The authority of this supreme court was likewise employed to introduce a farther innovation into the church; but, conformable to the system which the king had now adopted, the motion for this purpose took its rise from the clergy themselves. As the act of general annexation, and that establishing the presbyterian government, had reduced the few bishops, who still survived, to poverty and contempt; as those who possessed the abbeys and priories were mere laymen, and many of them temporal peers, few or none of the ecclesiastical order remained to vote in parliament, and, by means of that, the influence of the crown was considerably diminished there, and a proper balance to the power and number of the nobles was wanting. But the prejudices the nation had conceived against the name and character of bishops were so violent, that James was obliged, with the utmost care, to avoid the appearance of a design to revive that order. He prevailed therefore on the commission appointed by the last general assembly to complain to the parliament, that the church was the only body in the kingdom destitute of its representatives in that supreme court, where it so nearly concerned every order to have some, who were bound to defend its rights; and to crave that a competent number of the clergy should be admitted, according to ancient custom, to a seat there. In compliance with this request, an act was passed, by which those ministers, on whom the king should confer the vacant bishoprics and abbeys, were intitled to a vote in parliament; and that the clergy might conceive no jealousy of any encroachment upon their privileges, it was remitted to the general assembly, to determine what spi-

Ecclesiastics restored to a seat in parliament.

ritual jurisdiction or authority in the government of the church these persons should possess [d].

BOOK VIII.

1598.

The king, however, found it no easy matter to obtain the concurrence of the ecclesiastical judicatories, in which the act of parliament met with a fierce opposition. Though the clergy perceived how much lustre this new privilege would reflect upon their order; though they were not insensible of the great accession of personal power and dignity, which many of them would acquire, by being admitted into the supreme council of the nation, their abhorrence of episcopacy was extreme; and to that they sacrificed every consideration of interest or ambition. All the king's professions of regard for the present constitution of the church did not convince them of his sincerity; all the devices that could be invented for restraining and circumscribing the jurisdiction of such as were to be raised to this new honour, did not diminish their jealousy and fear. Their own experience had taught them, with what insinuating progress the hierarchy advances, and though admitted at first with moderate authority, and under specious pretences, how rapidly it extends its dominion. "Varnish over this scheme," said one of the leading clergymen, "with what colours you please; deck the intruder with the utmost art; under all this disguise, I see the horns of his mitre." The same sentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal as ever those of their order courted them. Many, however, were allured by the hopes of preferment; the king himself and his ministers employed the same arts, which they had tried so successfully last year; and after long debates, and much opposition, the general assembly declared that it was lawful for ministers to accept of a seat in parliament; that it would be highly beneficial to the church, to have its representatives in that supreme court; and that fifty-one persons, a number nearly equal to that of the ecclesiastics who were anciently called to parliament, should be chosen from among the clergy for that purpose. The manner of their election, together with the powers to be vested in them, were left undecided for the present, and furnished matter of future deliberation [e].

March 7.

As the prospect of succeeding to the crown of England drew nearer, James multiplied precautions in order to render it certain. As he was allied to many of the princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his

1599. James endeavours with success to gain a party in England,

[d] Spotsw. 450. Parl. 15th Jac. VI. c. 235. [e] Spotsw. 450. Cald. v. 278.

BOOK VIII. 1599.

title to the Engliſh throne, and to deſire their aſſiſtance, if any competitor ſhould ariſe to diſpute his undoubted rights. Theſe princes readily acknowledged the equity of his claim; but the aid which they could afford him was diſtant and feeble. At the ſame time, Edward Bruce, abbot of Kinloſs, his ambaſſador at the Engliſh court, ſolicited Elizabeth, with the utmoſt warmth, to recognize his title by ſome public deed, and to deliver her own ſubjects from the calamities which are occaſioned by an uncertain or diſputed ſucceſſion. But age had ſtrengthened all the paſſions which had hitherto induced Elizabeth to keep this great queſtion obſcure and undecided; and a general and evaſive anſwer was all that James could obtain. As no impreſſion could be made on the queen, the ambaſſador was commanded to ſound the diſpoſition of her ſubjects, and to try what progreſs he could make in gaining them. Bruce poſſeſſed all the talents of ſecrecy, judgment, and addreſs, requiſite for conducting a negotiation no leſs delicate than important. A miniſter of this character was intitled to the confidence of the Engliſh. Many of the higheſt rank unboſomed themſelves to him without reſerve, and gave him repeated aſſurances of their reſolution to aſſert his maſter's right, in oppoſition to every pretender [f]. As ſeveral pamphlets were diſperſed, at this time, in England, containing objections to his title, James employed ſome learned men in his kingdom to anſwer theſe cavillers, and to explain the advantages which would reſult to both kingdoms by the union of the crowns. Theſe books were eagerly read, and contributed not a little to reconcile the Engliſh to that event. A book publiſhed this year by the king himſelf, produced an effect ſtill more favourable. It was intitled *Baſilicon Doron*, and contained precepts concerning the art of government, addreſſed to prince Henry his ſon. Notwithſtanding the great alterations and refinements in national taſte ſince that time, we muſt allow this to be no contemptible performance, and not to be inferior to the works of moſt contemporary writers, either in purity of ſtyle or juſtneſs of compoſition. Even the vain parade of erudition with which it abounds, and which now diſguſts us, raiſed the admiration of that age; and, as it was filled with thoſe general rules which ſpeculative authors deliver for rendering a nation happy, and of which James could diſcourſe with great plauſibility, though often incapable of putting them in practice, the Engliſh conceived an high opinion of his abilities, and expected an increaſe of national

[f] Johnſt. 242.

honour

honour and prosperity, under a prince so profoundly skilled in politics, and who gave such a specimen both of his wisdom and of his love to his people [g].

1599.

The queen of England's sentiments concerning James, were very different from those of her subjects. His excessive indulgence towards the popish lords; the facility with which he pardoned their repeated treasons; his restoring Beaton, the popish archbishop of Glasgow, who had fled out of Scotland at the time of the reformation, to the possession of the temporalities of that benefice; the appointing him his ambassador at the court of France; the applause he bestowed, in the Basilicon Doron, on those who adhered to the queen his mother; Elizabeth considered as so many indications of a mind alienated from the protestant religion; and suspected that he would soon revolt from the profession of it. These suspicions seemed to be fully confirmed by a discovery which came from the Master of Gray, who resided at that time in Italy, and who, rather than suffer his intriguing spirit to be idle, demeaned himself so far as to act as a spy for the English court. He conveyed to Elizabeth the copy of a letter, written by James to pope Clement VIII. in which the king, after many expressions of regard for that pontiff, and of gratitude for his favours, declared his firm resolution to treat the Roman catholics with indulgence; and in order to render the intercourse between the court of Rome and Scotland more frequent and familiar, he solicited the pope to promote Drummond, bishop of Vaison, a Scotsman, to the dignity of a cardinal [h]. Elizabeth, who had received by another channel [i], some imperfect intelligence of this correspondence, was filled with just surprise, and immediately dispatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action so unbecoming a protestant prince. He was astonished at the accusation, and with a confidence, which nothing but the consciousness of innocence could inspire, affirmed the whole to be a mere calumny, and the letter itself to be forged by his enemies, on purpose to bring his sincerity in religion to be suspected. Elphingston the secretary of state denied the matter with equal solemnity. It came to be known by a very singular accident, which happened some years after, that the information which Elizabeth had received was well founded, though at the same time the king's declarations of his own innocence were perfectly consistent with truth. Cardinal Bellarmine, in a reply which he published to a con-

Accuseshim of corresponding with the pope.

[g] Camd. Spotsw. 457. [h] Cald. 333. [i] Winw. Mem. vol. i. 37. 52.

BOOK VIII. 1599.

troverſial treatiſe, of which the king was the author, accuſed him of having abandoned the favourable ſentiments which he had once entertained of the Roman catholic religion, and, as a proof of this, quoted his letter to Clement VIII. It was impoſſible, any longer, to believe this to be a fiction; and it was a matter too delicate to be paſſed over without ſtrict inquiry. James immediately examined Elphingſton, and his confeſſion unravelled the whole myſtery. He acknowledged that he had ſhuffled in this letter among other papers, which he laid before the king to be ſigned, who, ſuſpecting no ſuch deceit, ſubſcribed it together with the reſt, and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his majeſty's ſervice; and, by flattering the Roman catholics with hopes of indulgence under the king's government, he imagined that he was paving the way for his more eaſy acceſſion to the Engliſh throne. The privy council of England entertained very different ſentiments of the ſecretary's conduct. In their opinion, not only the king's reputation had been expoſed to reproach, but his life to danger, by this raſh impoſture; they even imputed the gunpowder treaſon to the rage and diſappointment of the papiſts, upon finding that the hopes which this letter inſpired were fruſtrated. The ſecretary was ſent a priſoner into Scotland, to be tried for high treaſon. His peers found him guilty, but, by the queen's interceſſion, he obtained a pardon [k].

ACCORDING to the account of other hiſtorians, James himſelf was no ſtranger to this correſpondence with the pope; and, if we believe them, Elphingſton, being intimidated by the threats of the Engliſh council, and deceived by the artifices of the earl of Dunbar, concealed ſome circumſtances in his narrative of this tranſaction, and falſified others; and at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his maſter's conduct [l].

James at great pains to gain the Roman catholics.

BUT whether we impute the writing of this letter to the ſecretary's officious zeal, or to the king's command, it is certain, that, about this time, James was at the utmoſt pains to gain the friendſhip of the Roman catholic princes, as a neceſſary precaution towards facilitating his acceſſion to the Engliſh throne. Lord Home, who was himſelf a papiſt, was entruſted with a ſecret commiſſion to the pope [m]; the archbiſhop of Glaſgow was an active inſtrument with thoſe

k State Trials, vol. i. 419. Spotſw. 456. 507. Johnſt. 448.
l Cald. vol. v. 322. vi. 147. m Winw. Mem. vol. ii. 57.

of

of his own religion [n]. The pope expreſſed ſuch favourable ſentiments both of the king, and of his right to the crown of England, that James thought himſelf bound, ſome years after, to acknowledge the obligation in a public manner [o]. Sir James Lindſay made great progreſs in gaining the Engliſh papiſts to acknowledge his majeſty's title. Of all theſe intrigues Elizabeth received obſcure hints from different quarters. The more imperfectly ſhe knew, the more violently ſhe ſuſpected the king's deſigns; and the natural jealouſy of her temper increaſing with age, ſhe obſerved his conduct with greater ſolicitude than ever. 1599.

1600. March 28. His regulations with regard to the church.

THE queſtions with regard to the election and power of the repreſentatives of the church, were finally decided this year by the general aſſembly, which met at Montroſe. That place was choſen as moſt convenient for the miniſters of the North, among whom the king's influence chiefly lay. Although great numbers reſorted from the northern provinces, and the king employed his whole intereſt, and the authority of his own preſence, to gain a majority, the following regulations were with difficulty agreed on: That the general aſſembly ſhall recommend ſix perſons to every vacant benefice, which gave a title to a ſeat in parliament, out of whom the king ſhould nominate one; that the perſon ſo elected, after obtaining his ſeat in parliament, ſhall neither propoſe nor conſent to any thing there, that may affect the intereſt of the church, without ſpecial inſtructions to that purpoſe; that he ſhall be anſwerable for his conduct to every general aſſembly; and ſubmit to its cenſure, without appeal, upon pain of infamy and excommunication; that he ſhall diſcharge the duties of a paſtor, in a particular congregation; that he ſhall not uſurp any eccleſiaſtical juriſdiction, ſuperior to that of his other brethren; that if the church inflict on him the cenſure of deprivation, he ſhall thereby forfeit his ſeat in parliament; that he ſhall annually reſign his commiſſion to the general aſſembly, which may be reſtored to him, or not, as the aſſembly, with the king's approbation, ſhall judge moſt expedient for the good of the church [p]. Nothing could be more repugnant to the idea of epiſcopal government, than theſe regulations. It was not in conſequence of rights derived from their office, but of powers conferred by a commiſſion, that the eccleſiaſtical perſons were to be admitted to a ſeat in parliament; they were the repreſentatives, not the ſuperiors of the clergy. Deſtitute of all ſpiritual authority,

[n] Cald. vol. vi. 147. [o] Ibid. vol. v. 604.
[p] Spotſw. 453. 457. Cald. vol. v. 368.

BOOK VIII. 1600.

even their civil juriſdiction was temporary. James, however, flattered himſelf that they would ſoon be able to ſhake off theſe fetters, and gradually acquire all the privileges which belonged to the epiſcopal order. The clergy dreaded the ſame thing; and of courſe he contended for the nomination of theſe commiſſioners, and they oppoſed it, not ſo much on account of the powers then veſted in them, as of thoſe to which it was believed they would ſoon attain[q].

Gowrie's conſpiracy.

DURING this ſummer, the kingdom enjoyed an unuſual tranquillity. The clergy, after many ſtruggles, were brought under great ſubjection; the popiſh earls were reſtored to their eſtates and honours, by the authority of parliament, and with the conſent of the church; the reſt of the nobles were at peace among themſelves, and obedient to the royal authority; when, in the midſt of this ſecurity, the king's life was expoſed to the utmoſt danger, by a conſpiracy altogether unexpected, and almoſt inexplicable. The authors of it were John Ruthven, earl of Gowrie, and his brother Alexander, the ſons of that earl who was beheaded in the year one thouſand five hundred and eighty-four. Nature had adorned both theſe young men, eſpecially the elder brother, with many accompliſhments, to which education had added its moſt elegant improvements. More learned than is uſual among perſons of their rank; more religious than is common at their age of life; generous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the moſt ſanguine hopes of their early virtues. Notwithſtanding all theſe noble qualities, ſome unknown motive engaged them in a conſpiracy, which, if we adhere to the account commonly received, muſt be tranſmitted to poſterity, as one of the moſt wicked, as well as one of the worſt concerted, of which hiſtory makes any mention.

ON the fifth of Auguſt, as the king, who reſided during the hunting ſeaſon in his palace of Falkland, was going out to his ſport early in the morning, he was accoſted by Mr. Alexander Ruthven, who, with an air of great importance, told the king, that the evening before he had met an unknown man, of a ſuſpicious aſpect, walking alone in a by path, near his brother's houſe at Perth; and on ſearching him, had found, under his cloak, a pot filled with a great quantity of foreign gold; that he had immediately ſeized both him and his treaſure, and, without communicating the matter to any perſon, had kept him confined and bound in a

[q] Spotſw. 454.

ſolitary

ſolitary houſe; and that he thought it his duty to impart ſuch a ſingular event, firſt of all to his majeſty. James immediately ſuſpected this unknown perſon to be a ſeminary prieſt, ſupplied with foreign coin, in order to excite new commotions in the kingdom; and reſolved to impower the magiſtrates of Perth to call the perſon before them, and inquire into all the circumſtances of the ſtory. Ruthven violently oppoſed this reſolution, and with many arguments urged the king to ride directly to Perth, and to examine the matter with his own eyes. Meanwhile the chace began; and James, notwithſtanding his paſſion for that amuſement, could not help ruminating upon the ſtrangeneſs of the tale, and on Ruthven's importunity. At laſt he called him, and promiſed, when the ſport was over, to ſet out for Perth. The chace, however, continued long; and Ruthven, who all the while kept cloſe by the king, was ſtill urging him to make haſte. At the death of the buck he would not allow James to ſtay till a freſh horſe was brought him; and obſerving the duke of Lennox and the earl of Mar preparing to accompany the king, he intreated him to countermand them. This James refuſed; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raiſed ſome ſuſpicions in his mind; yet his own curioſity, and Ruthven's ſolicitations, prevailed on him to ſet out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the king's arrival, though he had already diſpatched two meſſengers for that purpoſe. At a little diſtance from the town, the earl, attended by ſeveral of the citizens, met the king, who had only twenty perſons in his train. No preparations were made for the king's entertainment; the earl appeared penſive and embarraſſed, and was at no pains to atone, by his courteſy or hoſpitality, for the bad fare with which he treated his gueſts. When the king's repaſt was over, his attendants were led to dine in another room, and he being left almoſt alone, Ruthven whiſpered him, that now was the time to go to the chamber where the unknown perſon was kept. James commanded him to bring Sir Thomas Erſkine along with them; but, inſtead of that, Ruthven ordered him not to follow: and conducting the king up a ſtair-caſe, and then through ſeveral apartments, the doors of which he locked behind him, led him at laſt into a ſmall ſtudy, in which there ſtood a man clad in armour, with a ſword and dagger by his ſide. The king, who expected to have found one diſarmed and bound, ſtarted at the ſight, and inquired if this was the perſon; but Ruthven ſnatching the dagger

B. O. K. VIII. 1600. from the girdle of the man in armour, and holding it to the king's breaſt, "Remember," ſaid he, "how unjuſtly my father "ſuffered by your command; you are now my priſoner; "ſubmit to my diſpoſal without reſiſtance or outcry, or this "dagger ſhall inſtantly avenge his blood." James expoſtulated with Ruthven, intreated, and flattered him. The man whom he found in the ſtudy ſtood, all the while, trembling and diſmayed, without courage either to aid the king, or to ſecond his aggreſſor. Ruthven proteſted, that if the king raiſed no outcry his life ſhould be ſafe; and, moved by ſome unknown reaſon, retired in order to call his brother, leaving to the man in armour the care of the king, whom he bound by oath not to make any noiſe during his abſence.

WHILE the king was in this dangerous ſituation, his attendants growing impatient to know whither he had retired, one of Gowrie's domeſtics entered the room haſtily, and told them that the king had juſt rode away towards Falkland. All of them ruſhed out into the ſtreet; and the earl, in the utmoſt hurry, called for their horſes. But by this time his brother had returned to the king, and ſwearing that now there was no remedy, he muſt die, offered to bind his hands. Unarmed as James was, he ſcorned to ſubmit to that indignity; and cloſing with the aſſaſſin, a fierce ſtruggle enſued. The man in armour ſtood, as formerly, amazed and motionleſs; and the king dragging Ruthven towards a window, which, during his abſence, he had perſuaded the perſon with whom he was left to open, cried, with a wild and affrighted voice, "Treaſon! "Treaſon! Help! I am murdered!" His attendants heard, and knew the voice; and ſaw, at the window, a hand, which graſped the king's neck with violence. They flew with precipitation to his aſſiſtance. Lenox and Mar, with the greater number, ran up the principal ſtair-caſe, where they found all the doors ſhut, which they battered with the utmoſt fury, endeavouring to burſt them open. But Sir John Ramſey, entering by a back-ſtair, which led to the apartment where the king was, found the door open; and ruſhing upon Ruthven, who was ſtill ſtruggling with the king, ſtruck him twice with his dagger, and thruſt him towards the ſtair-caſe, where Sir Thomas Erſkine and Sir Hugh Herries met, and killed him; he crying with his laſt breath, "Alas! I am not to blame for this action." During this ſcuffle, the man who had been concealed in the ſtudy eſcaped unobſerved. Together with Ramſey, Erſkine, and Herries, one Wilſon, a footman, entered the room

where the king was, and before they had time to shut the door, Gowrie rushed in with a drawn sword in each hand, followed by seven of his attendants well armed, and with a loud voice threatened them all with instant death. They immediately thrust the king into the little study, and shutting the door upon him, encountered the earl. Notwithstanding the inequality of numbers, Sir John Ramsey pierced Gowrie through the heart, and he fell down dead without uttering a word; his followers, having received several wounds, immediately fled. Three of the king's defenders were likewise hurt in the conflict. A dreadful noise continued still at the opposite door, where many persons laboured in vain to force a passage; and the king being assured that they were Lennox, Mar, and his other friends, it was opened on the inside. They ran to the king, whom they unexpectedly found safe, with transports of congratulation; and he, falling on his knees, with all his attendants around him, offered solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening revenge, with many insolent and opprobrious speeches against the king. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their magistrates into the house; related to them all the circumstances of the fact; and their fury subsiding by degrees, they dispersed. On searching the earl's pockets for papers that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters and words of enchantment; and if we may believe the account of the conspiracy published by the king, "while these were about "him, the wound of which he died bled not; but as soon "as they were taken away, the blood gushed out in great "abundance." After all the dangerous adventures of this busy day, the king returned in the evening to Falkland, having committed the dead bodies of the two brothers to the custody of the magistrates of Perth.

BOOK VIII. 1600.

NOTWITHSTANDING the minute detail which the king gave of all the circumstances of this conspiracy against his life, the motives which induced the two brothers to attempt an action so detestable, the end they had in view, and the accomplices on whose aid they depended, were altogether unknown. The words of Ruthven to the king gave some grounds to think that the desire of revenging their

The motives of the conspirators not easily explained.

father's

BOOK VIII. 1600.

father's death had inſtigated them to this attempt. But, whatever injuries their father had ſuffered, it is ſcarcely probable that they could impute them to the king, whoſe youth, as well as his ſubjection at that time to the violence of a faction, exempted him from being the object of reſentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had ſuffered, by benefits to his children; and Gowrie himſelf, ſenſible of his favour, had acknowledged it with the warmeſt expreſſions of gratitude. Three of the earl's attendants, being convicted of aſſiſting him in this aſſault on the king's ſervants, were executed at Perth; but they could give no light into the motives which had prompted their maſter to an action ſo repugnant to theſe acknowledgments. Diligent ſearch was made for the perſon concealed in the ſtudy, and from him great diſcoveries were expected. But Andrew Henderſon, the earl's ſteward, who, upon a promiſe of pardon, confeſſed himſelf to be the man, was as much a ſtranger to his maſter's deſign as the reſt; and though placed in the ſtudy by Gowrie's command, he did not even know for what end that ſtation had been aſſigned him. The whole tranſaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their ſcheme without either confident or accomplice, with unexampled ſecrecy as well as wickedneſs.

Sprot's diſcoveries concerning it.

AN accident, no leſs ſtrange than the other circumſtances of the ſtory, and which happened nine years after, diſcovered that this opinion, however plauſible, was ill-founded; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whiſpered among ſeveral perſons, that he knew ſome ſecrets relating to Gowrie's conſpiracy, the privy council thought the matter worthy their attention, and ordered him to be ſeized. His confeſſion was partly voluntary, and partly forced from him by torture. According to his account, Logan of Reſtalrig, a gentleman of an opulent fortune, but of diſſolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he ſaid, had frequent interviews with Logan, in order to concert the plan of their operations; the earl had correſponded with him to the ſame purpoſe; and one Bour, Logan's confident, was truſted with the ſecret, and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occaſion; and, in confirmation of his teſtimony, ſeveral

of

of Logan's letters, which a curioſity fatal to himſelf had prompted Sprot to ſteal from among Bour's papers, were produced[r]. Theſe were compared, by the privy council, with papers of Logan's hand-writing, and the reſemblance was manifeſt. Perſons of undoubted credit, and well qualified to judge of the matter, examined them, and ſwore to their authenticity. Death itſelf did not exempt Logan from proſecution; his bones were dug up and tried for high treaſon, and by a ſentence, equally odious and illegal[s], his lands were forfeited, and his poſterity declared infamous. Sprot was condemned to be hanged for miſpriſion of treaſon. He adhered to his confeſſion to the laſt, and having promiſed, on the ſcaffold, to give the ſpectators a ſign in confirmation of the truth of what he had depoſed, he thrice clapped

[r] Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot diſcover the name of the perſon to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this, however, and from other words in the letter, *Crom.* 95. that there were ſeveral perſons privy to the conſpiracy. The date of the firſt letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before. Ibid. It appears from the original *ſummons of forfaulture* againſt Logan's heirs, that Bour, though he had letters addreſſed to him with regard to a conſpiracy equally dangerous and important, was ſo illiterate that he could not read. "Jacobus Bour, literarum prorſus ignarus, dicti Georgii "opera in legendis omnibus ſcriptis ad eum miſſis, vel pertinentibus, utebatur." This is altogether ſtrange; and nothing but the capricious character of Logan can account for his chuſing ſuch a confident.

[s] By the Roman law, perſons guilty of the crime of high treaſon might be tried even after death. This practice was adopted by the Scots, without any limitation, Parl. 1540. c. 69. But the unlimited exerciſe of this power was ſoon conceived to be dangerous; and the crown was laid under proper reſtrictions, by an act A. D. 1542, which has never been printed. The words of it are, "And becauſe the ſaid lords (i. e. the lords of articles) think the ſaid act (viz. in 1540) too general, and prejudicial to the barons in the realm, therefore ſtatutes and ordains that the ſaid act ſhall have no place in time coming, but againſt the heirs of them that notoriouſly commit, or ſhall commit leſe majeſty againſt the king's perſon, againſt the realm for averting the ſame, and againſt them that ſhall happen to betray the king's army allenarly, and being notoriouſly known in their time; and the heirs of theſe perſons to be called and judged within five years after the deceaſe of the ſaid perſons committers of the ſaid crimes; and the ſaid time being bypaſt, the ſaid heirs never to be purſued for the ſame." The ſentence againſt Logan violated this ſtatute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heir was called in queſtion more than five years after his death. It is remarkable that this ſtatute ſeems not to have been attended to in the parliament which forfeited Logan. Another ſingular circumſtance deſerves notice. As it is a maxim of juſtice that no perſon can be tried in abſence; and as lawyers are always tenacious of their forms, and often abſurd in their devices for preſerving them, they contrived that, in any proceſs againſt a dead perſon, his corpſe or bones ſhall be preſented at the bar. Examples of this occur frequently in the Scottiſh hiſtory. After the battle of Corrichie, the dead body of the earl of Huntly was preſented in parliament, before ſentence of *forfaulture* was pronounced againſt him. For the ſame reaſon the bodies of Gowrie and his brother were preſerved, in order that they might be produced in parliament. Logan's bones, in compliance with the ſame rule, were dug up. Mackenz. Crim. Law, book i. tit. 6. § 22.

his

BOOK VIII. 1600.

his hands after he was thrown off the ladder by the executioner*.

But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown by this discovery on the motives and intention of his conduct. It appears almost incredible that two young men of such distinguished virtue should revolt all at once from their duty, and attempt a crime so atrocious, as the murder of their sovereign. It appears still more improbable, that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the king with his own hand, why did he withdraw the dagger, after it was pointed at his breast? How could he leave the king, after such a plain declaration of his intention? Was it not preposterous to commit him to the keeping of such a timid and false associate as Henderson? For what purpose did he waste

* It appears that archbishop Spotswood was present at the execution of Sprot, *Crom.* 115. and yet he seems to have given no credit to his discoveries. The manner in which he speaks of him is remarkable, "Whether or not I should mention the arraignment and execution of George Sprot, who suffered at Edinburgh, I am doubtful. His confession, though voluntary and constant, carrying small probability. The man deposed, &c. It seemed to be a very fiction, and a mere invention of the man's own brain, for neither did he shew the letter, nor could any wise man think that Gowrie, who went about the treason so secretly, would have communicated the matter to such a man as Logan was known to be." p. 508. Spotswood could not be ignorant of the solemnity with which Logan had been tried, and of the proof brought of the authenticity of his letters. He himself was probably present in parliament at the trial. The earl of Dunbar, of whom he always speaks with the highest respect, was the person who directed the process against Logan. Such a peremptory declaration against the truth of Sprot's evidence, notwithstanding all these circumstances, is surprising. Sir Thomas Hamilton, the king's advocate at that time, and afterwards earl of Hadington, represents the proof produced at Logan's trial, as extremely convincing; and in an original letter of his to the king, the 21st of June 1609 (in Bibl. Faculc. Jurid.), after mentioning the manner in which the trial had been conducted, he thus goes on: "When the probation of the summons was referred to the lords of articles voter, they found uniformly, all in one voice, the said summons to be so clearly proved, that they seemed to contend who should be able most zealously to express the satisfaction of his heart, not only by the most pithy words, but by tears of joy; diverse of the best rank confessing, that that whereof they doubted at their entry into the house was now so manifest, that they behoved to esteem them traitors who should any longer refuse to declare their assured resolution of the truth of that treason."

time,

time, in binding the hands of an unarmed man, whom he might eaſily have diſpatched with the ſword? Had Providence permitted them to embrue their hands in the blood of their ſovereign, what advantage could have accrued to them by his death? and what claims or pretenſions could they have oppoſed to the rights of his children[u]? Inevitable and inſtant vengeance, together with perpetual infamy, were the only conſequences they could expect to follow ſuch a crime.

1600.

ON the other hand, it is impoſſible to believe that the king had formed any deſign againſt the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealouſy or hatred[x]; nor was he of a ſpirit ſo ſanguinary, or ſo noted for raſh and deſperate valour, as to have attempted to murder them in their own houſe, where they were ſurrounded with many domeſtics, he only with a ſlender and unarmed train; where they could call to their aſſiſtance the inhabitants of a city, at the devotion of their family, while he was at a diſtance from all aid; and leaſt of all would he have choſen for his aſſociates in ſuch an enterprize, the earl of Mar and the duke of Lennox, the former connected in cloſe friend-

[u] It has been aſſerted, that in conſequence of the king's death, the earl of Gowrie might have pretended to the crown of England, as the ſon of Dorothea Stewart, daughter of lord Methven by Margaret of England, who, after her divorce from the earl of Angus, took that nobleman for her third huſband. Burnet, Hiſt. of his own Times. But this aſſertion is ill-founded. It appears, from undoubted evidence, that lord Methven had only one child by queen Margaret, which died in its infancy, and Dorothea lady Ruthven was not the daughter of queen Margaret, but of Janet Stewart, lord Methven's ſecond wife, a daughter of John earl of Athol. Crawf. Peer. 329. And though Gowrie had really been deſcended from the blood-royal of England, the king at that time had a ſon and a daughter; and beſides them, lady Arabella Stewart, daughter of Charles earl of Lennox, had a preferable title to the crown of England.

[x] Sir Henry Neville, in a letter to Sir Ralph Winwood, imputes the death of the two brothers to a cauſe not mentioned by any of our hiſtorians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence betwixt the king and his wife, and many are of opinion that the diſcovery of ſome affection between her and the earl of Gowrie's brother (who was killed with him) was the truеſt cauſe and motive of that tragedy." Winw. Mem. vol. i. 274. Whether the following paſſage in Nicholſon's letter be any confirmation of that ſuſpicion, is ſubmitted to the reader. In his letter, Sept. 23, 1600, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in of theſe two, and the queen of Scots dealing with them, and ſending away and furniſhing Mrs. Beatrix [their ſiſter] with ſuch information as Sir Thomas Erſkine has given, hath bred great ſuſpicion in the king of Scots, that they come not in but upon ſome dangerous plot." In another letter, January 1, 1603: "The day of writing my laſt, Mrs. Beatrix Ruthven was brought by the lady Paiſley and Mrs. of Angus, as one of their gentlewomen, into the court in the evening, and lowed in a chamber prepared for her by the queen's direction, where the queen had much time and conference with her. Of this the king got notice, and ſhewed his diſlike thereof to the queen, gently reproving her for it, and examining quietly of the queen's ſervants of the ſame, and of other matters thereunto belonging, with ſuch diſcretion and ſecrecy as requires ſuch a matter."

ſhip

BOOK VIII.

1600.

ſhip with the houſe of Gowrie, and the latter married to one of the earl's ſiſters.

A conjecture concerning the intention of the conſpirators.

WHICHSOEVER of theſe oppoſite ſyſtems we embrace; whether we impute the intention of murder to Gowrie or to the king; inſuperable difficulties ariſe, and we are involved in darkneſs, myſtery, and contradictions. Perhaps the ſource of the whole conſpiracy ought to be ſearched for deeper, and by deriving it from a more remote cauſe, we may diſcover it to be leſs criminal.

To keep the king of Scots in continual dependance, was one great object of Elizabeth's policy. In order to this, ſhe ſometimes ſoothed him, and ſometimes bribed his miniſters and favourites; and when ſhe failed of attaining her end by theſe means, ſhe encouraged the clergy to render any adminiſtration which ſhe diſtruſted unpopular, by decrying it, or ſtirred up ſome faction of the nobles to oppoſe and to overturn it. In that fierce age, men little acquainted with the arts of undermining a miniſtry by intrigue, had recourſe to the ruder practice of rendering themſelves maſters of the king's perſon, that they might thereby obtain the directions of his councils. Thoſe nobles, who ſeized the king at the *Raid of Ruthven*, were inſtigated and ſupported by Elizabeth. Bothwell, in all his wild attempts, enjoyed her protection, and when they miſcarried, he was ſecure of retreat in her dominions. The connexions which James had been forming of late with the Roman catholic princes, his ſecret negotiations in England with her ſubjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealouſy. She dreaded ſome great revolution in Scotland to be approaching, and it was her intereſt to prevent it. The earl of Gowrie was one of the moſt powerful of the Scottiſh nobles, and deſcended from anceſtors warmly attached to the Engliſh intereſt. He had adopted the ſame ſyſtem, and believed the welfare of his country to be inſeparably connected with the ſubſiſtence of the alliance between the two kingdoms. During his reſidence at Paris, he had contracted an intimate friendſhip with Sir Henry Neville, the queen's ambaſſador there, and was recommended by him to his court, as a perſon of whom great uſe might be made [y]. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favour. From all theſe circumſtances a ſuſpicion may ariſe, that the plan of the conſpiracy againſt the king was formed at that time, in concert with her. Such

[y] Winw. i. 156.

a ſuſpicion prevailed in that age, and from the letters of Nicholſon, Elizabeth's agent in Scotland, it appears not to be deſtitute of foundation. An Engliſh ſhip was obſerved hovering, for ſome time, in the mouth of the frith of Forth. The earl's two younger brothers fled into England after the ill ſucceſs of the conſpiracy, and were protected by Elizabeth. James himſelf, though he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the king's perſon, but only to circumſcribe his authority, and to thwart his ſchemes. His life was the ſureſt ſafeguard of her own, and reſtrained the popiſh pretenders to her crown, and their abettors, from deſperate attempts, to which their impatience and bigotry might, otherwiſe, have urged them on. To have encouraged Gowrie to murder his ſovereign, would, on her part, have been an act of the utmoſt imprudence. Nor does this ſeem to have been the intention of the two brothers. Mr. Ruthven, firſt of all, endeavoured to decoy the king to Perth, without any attendants. When theſe proved more numerous than was expected, the earl employed a ſtratagem in order to ſeparate them from the king, by pretending that he had rode away towards Falkland, and by calling haſtily for their horſes that they might follow him. By their ſhutting James up, meanwhile, in a diſtant corner of the houſe, and by attempting to bind his hands, their deſign ſeems to have been rather to ſeize than to aſſaſſinate him. Though Gowrie had not collected his followers in ſuch numbers as to have been able to detain him long a priſoner, in that part of the kingdom, by open force, he might ſoon have been conveyed aboard the Engliſh ſhip, which waited peahaps to receive him, and he might have been landed at Faſt-caſtle, a houſe of Logan's, in which, according to many obſcure hints in his letters, ſome rendezvous of the conſpirators was to be held. Amidſt the ſurpriſe and terror, into which the king muſt have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was ſought. It was the intereſt of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance and merit of their own ſervices. Thus his fear, and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully underſtood, is apt to inſpire, augmented the whole tranſaction. On the other hand, the extravagance and improbability of the circumſtances which were added, detracted from the credit of thoſe which really happened;

BOOK VIII.

happened; and even furniſhed pretences for calling in queſtion the truth of the whole conſpiracy.

1600. Many diſbelieve the account publiſhed by the king.

THE account of what had happened at Perth reached Edinburgh next morning. The privy council commanded the miniſters of that city inſtantly to aſſemble their people; and after relating to them the circumſtances of the conſpiracy formed againſt the king's life, to return public thanks to God, for the protection which he had ſo viſibly afforded him. But as the firſt accounts tranſmitted to Edinburgh, written in a hurry, and while the circumſtances of the conſpiracy were but imperfectly known, and the paſſions which it excited ſtrongly felt, were indiſtinct, exaggerated, and contradictory, the miniſters laid hold of this; and though they offered to give public thanks to God for the king's ſafety, they refuſed to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be ſtill dubious and uncertain.

A FEW days after, the king returned to Edinburgh, and though Galloway, the miniſter of his own chapel, made an harangue to the people at the public croſs, in which he recited all the circumſtances of the conſpiracy; though James himſelf, in their hearing, confirmed his account; though he commanded a narrative of the whole tranſaction to be publiſhed; the miniſters of that city, as well as many of their brethren, ſtill continued incredulous and unconvinced. Their high eſteem of Gowrie, their jealouſy of every part of the king's conduct, added to ſome falſe and many improbable circumſtances in the narrative, not only led them to ſuſpect the whole, but gave their ſuſpicions an air of credibility. But at length, the king, partly by arguments, partly by threats, prevailed on all of them, except Mr. Robert Bruce, to own that they were convinced of the truth of the conſpiracy. He could be brought no farther than to declare, that he reverenced the king's account of the tranſaction, but could not ſay that he himſelf was perſuaded of the truth of it. The ſcruples or obſtinacy of a ſingle man would have been little regarded; but as the ſame ſpirit of incredulity began to ſpread among the people, the example of one in ſo high reputation for integrity and abilities, was extremely dangerous. The king was at the utmoſt pains to convince and to gain Bruce, but finding it impoſſible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement, baniſhed him the kingdom [z].

[z] Spotſw. 461, &c. Cald. v. 389, &c.

THE

BOOK VIII.

1600. Proceedings of Parliament against the conſpirators.

THE proceedings of parliament were not retarded by any ſcruples of this ſort. The dead bodies of the two brothers were produced there, according to law; an indictment for high treaſon was preferred againſt them; witneſſes were examined: and, by an unanimous ſentence, their eſtates and honours were forfeited; the puniſhment due to traitors was inflicted on their dead bodies; and, as if the puniſhment hitherto in uſe did not expreſs ſufficient deteſtation of their crimes, the parliament enacted that the ſurname of Ruthven ſhould be aboliſhed; and in order to preſerve the memory of the king's miraculous eſcape, and to declare the ſenſe which the nation had of the divine goodneſs, to all future ages, appointed the fifth of Auguſt to be obſerved, annually, as a day of public thankſgiving [a].

THOUGH

[a] A few weeks after the death of the two brothers, the king publiſhed a *diſcourſe of their vile and unnatural conſpiracy againſt his life.* In the year 1713, George earl of Cromartie publiſhed an "Hiſtorical account of the conſpiracy by the earl of Gowrie, and Robert Logan of Reſtalrig, againſt king James VI." He ſeems not to have ſeen the account which the king himſelf had given of that matter, and borrows the whole hiſtorical part from Spotſwood and other authors; but he has extracted from the public records the depoſitions of the witneſſes produced by the king's council, in order to make good the charge againſt the two brothers, and Logan their aſſociate. From theſe two treatiſes our knowledge of all the material circumſtances of the conſpiracy is derived. The evidence which they contain, one would expect to be authentic and deciſive. An account of a fact, ſtill recent, publiſhed by royal authority, and the original depoſitions of perſons examined in preſence of the higheſt court in the nation, ought to convey a degree of evidence ſeldom attained in hiſtorical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this tranſaction is dark and problematical, the king's account and the depoſitions of the witneſſes not only vary, but contradict each other in ſo many circumſtances, that much room is ſtill left for heſitation and hiſtorical ſcepticiſm. The teſtimony of Henderſon is the fulleſt and moſt important; but in ſeveral particulars the king's account and his are contradictory. I. According to the king's account, while Mr. Ruthven was holding the dagger at his breaſt, "the fellow in the ſtudy ſtood quaking and trembling." Diſc. 17. But Henderſon ſays, that he himſelf wreſted the dagger out of Mr. Ruthven's hands. Diſc. 53. Crom. 50. Henderſon likewiſe boaſted to his wife, that he had that day twice ſaved the king from being ſtabbed. Diſc. 54. Crom. 53. II. The king aſſerts, that Henderſon opened the window during Mr. Ruthven's abſence. Diſc. 23. Henderſon depoſes, that he was only attempting to open it when Mr. Ruthven returned, and that during the ſtruggle between the king and him, he opened it. Diſc. 53, 54. Crom. 51, 52. III. If we may believe the king, the fellow in the ſtudy ſtood, during the ſtruggle, behind the king's back, inactive and trembling all the time. Diſc. 27. But Henderſon affirms, that he ſnatched away the garter with which Mr. Ruthven attempted to bind the king; that he pulled back Mr. Ruthven's hand, while he was endeavouring to ſtop the king's mouth, and that he opened the window. Diſc. 54. Crom. 52. IV. By the king's account, Mr. Ruthven left him in the ſtudy, and went away in order to meet with his brother, and the earl came up the ſtairs for the ſame purpoſe. Diſc. 23. Henderſon depoſes, that when Mr. Ruthven left the king, "he believes that he did not paſs from the door." Crom. 51. It is apparent, both from the ſituation of the houſe, and from other circumſtances,

BOOK VIII.

1601. Eſſex's conſpiracy againſt Eliſabeth.

THOUGH Gowrie's conſpiracy occaſioned a ſudden and a great alarm, it was followed by no conſequences of importance; and having been concerted by the two brothers, either without any aſſociates, or with ſuch as were unknown, and choſe to remain ſo, the danger was over, as ſoon as diſcovered. But not long after, a conſpiracy broke out in England againſt Elizabeth, which, though the firſt danger was inſtantly diſpelled, produced tragical effects, that rendered the cloſe of that queen's reign diſmal and unhappy. As James was deeply intereſted in that event, it merits our particular notice.

THE court of England was at this time divided between two powerful factions, which contended for the ſupreme

that there could not poſſibly have been any interview between the brothers at this time. Diſc. 23.

Henderſon was twice examined, firſt at Falkland before the privy council in Auguſt, and next at Edinburgh before the parliament in November. Not to mention ſome leſſer variations between theſe depoſitions, we ſhall point out two which are remarkable. In his firſt depoſition, Mr. Henderſon relates the moſt material circumſtance of the whole in theſe words: "Mr. Ruthven pulled out the deponent's dagger, and held the ſame to his majeſty's breaſt, ſaying, "*remember you of my father's murder; you ſhall now die for it*" and pointing to his highneſs's heart with the dagger, the deponent threw the ſame out of Mr. Ruthven's hands, and ſwore, that as God ſhould judge his ſoul, that if Mr. Ruthven had retained the dagger in his hand, the ſpace a man may go ſix ſteps, he would have ſtricken the king to the hilts with it." Diſc. 32. But at his ſecond examination he varied from this in two material circumſtances. Firſt, the words he at that time put in Mr. Ruthven's mouth while he held the dagger at the king's breaſt are, "*Sir, you muſt be my priſoner; remember on my father's death.*" Secondly, when he threatened him with death, it was only to deter him from making any noiſe, "*Hold your tongue, or by Chriſt you ſhall die.*" 2. In his firſt depoſition, the words of Mr. Ruthven, when he returned to the chamber where he had left the king, are, "*There is no remedy, by God you muſt die.*" But in his ſecond depoſition, "By God there is no remedy, and offered to bind his majeſty's hands." Crom. 51. The material words *you muſt die* are omitted. The firſt depoſition ſeems plainly to intimate that it was Ruthven's intention to murder the king. The ſecond would lead us to conclude that he had no other deſign than to detain him as a priſoner.

There are likewiſe ſome remarkable contradictions in the teſtimonies of the other witneſſes. 1. In the diſcourſe publiſhed by authority, it is inſinuated that the tumult of the inhabitants was raiſed againſt the king, and that it required ſome art to pacify them. Diſc. 32. The duke of Lennox confirms this in his depoſition. Crom. 44. An act of privy council ſummoning the magiſtrates of Perth to anſwer for that riot is ſtill extant. And yet Andrew Roy, one of the bailliés of the town, depoſes, that he himſelf raiſed the people, and that they took arms in order to aſſiſt the king. Crom. 66. 2. Henderſon depoſes, that he gave an evaſive anſwer to Mr. John Moncrief, who inquired where he had been that morning, becauſe the earl had commanded him not to let any man know that he had been at Falkland. Diſc. 54. Moncrief depoſes to the ſame purpoſe. Crom. 64. And yet George Hay, afterwards lord Kinnoul, and the chancellor of Scotland, and Peter Hay, depoſe, that the earl, in their preſence, aſked Henderſon, "Whom he found with the king at Falkland?" Crom. 70, 71. Which queſtion ſeems to prove that he did not aim at keeping that journey a ſecret. In the Collection of Criminal Trials, publiſhed by Mr. Arnot in 1785, the evidence againſt the two brothers has been conſidered with great attention. P. 26, &c.

direction

direction of affairs. The leader of the one was Robert D'Evreux, earl of Eſſex; Sir Robert Cecil, the ſon of lord treaſurer Burleigh, was at the head of the other. The former was the moſt accompliſhed and the moſt popular of all the Engliſh nobles; brave, generous, affable; though impetuous, yet willing to liſten to the counſels of thoſe whom he loved; an avowed, but not an implacable enemy; a friend no leſs conſtant than warm; incapable of diſguiſing his own ſentiments, or of miſrepreſenting thoſe of others; better fitted for a camp than for a court; and of a genius that qualified him for the firſt place in the adminiſtration, with a ſpirit which ſcorned the ſecond as below his merit. He was ſoon diſtinguiſhed by the queen, who, with a profuſion uncommon to her, conferred on him, even in his earlieſt youth, the higheſt honours. Nor did this diminiſh the eſteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his ſovereign, and the darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply ſkilled in all its arts, was crafty, inſinuating, induſtrious; and though poſſeſſed of talents which fitted him for the higheſt offices, he did not rely upon his merit alone for attaining them, but availed himſelf of every advantage, which his own addreſs, or the miſtakes of others, afforded him. Two ſuch men were formed to be rivals and enemies. Eſſex deſpiſed the arts of Cecil as low and baſe. To Cecil, the earl's magnanimity appeared to be preſumption and folly. All the military men, except Raleigh, favoured Eſſex. Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own.

His correſpondence with the Scottiſh king.

As Elizabeth advanced in years, the ſtruggle between theſe factions became more violent. Eſſex, in order to ſtrengthen himſelf, had early courted the friendſhip of the king of Scots, for whoſe right of ſucceſſion he was a zealous advocate, and held a cloſe correſpondence both with him and with his principal miniſters. Cecil, devoted to the queen alone, roſe daily to new honours by the aſſiduity of his ſervices, and the patience with which he expected the reward of them; while the earl's high ſpirit and impetuoſity ſometimes expoſed him to checks from a miſtreſs, who, though partial in her affection toward him, could not eaſily bear contradiction, and who conferred favours often unwillingly, and always ſlowly. His own ſolicitations, however, ſeconded maliciouſly by his enemies, who wiſhed to remove him at a diſtance from court, advanced him to the command of the army employed in Ireland againſt Tyronne, and to

BOOK VIII. 1601.

the office of lord lieutenant of that kingdom, with a commiſſion almoſt unlimited. His ſucceſs in that expedition did not equal either his own promiſes, or the expectations of Elizabeth. The queen, peeviſh from her diſappointment, and exaſperated againſt Eſſex by the artifices of his enemies, wrote him a harſh letter, full of accuſations and reproaches. Theſe his impatient ſpirit could not bear, and, in the firſt tranſports of his reſentment, he propoſed to carry over a part of his army into England, and, by driving his enemies from the queen's preſence, to reinſtate himſelf in favour and in power. But, upon more mature thoughts, he abandoned this raſh deſign, and, ſetting ſail with a few officers devoted to his perſon, landed in England, and poſted directly to court. Elizabeth received him without any ſymptom either of affection or of diſpleaſure. By proper complſances and acknowledgments, he might have regained his former aſcendant over the queen. But he thought himſelf too deeply injured to ſubmit to theſe. Elizabeth, on the other hand, determined to ſubdue his haughty temper; and though her ſeverity drew from him the moſt humble letters, ſhe confined him to the lord keeper's houſe, and appointed commiſſioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permiſſion. By their ſentence, he was ſuſpended from all his offices, except that of maſter of the horſe, and continued a priſoner during the queen's pleaſure. Satisfied with having mortified his pride thus far, Elizabeth did not ſuffer the ſentence to be recorded, and ſoon after allowed him to retire to his own houſe. During theſe tranſactions, which occupied ſeveral months, Eſſex fluctuated between the allegiance he owed to his ſovereign, and the deſire of revenge; and ſometimes leaned to the one, and ſometimes to the other. In one of the intervals when the latter prevailed, he ſent a meſſenger into Scotland, to encourage the king to aſſert his own right to the ſucceſſion by force of arms, and to promiſe that, beſides the aſſiſtance of the earl and all his friends in England, lord Mountjoy, now lord lieutenant of Ireland, would join him with five thouſand men from that kingdom. But James did not chuſe to hazard the loſing a kingdom, of which he was juſt about to obtain poſſeſſion, by a premature attempt to ſeize it. Mountjoy, too, declined the enterpriſe, and Eſſex adopted more dutiful ſchemes; all thoughts of ambition appearing to be totally effaced out of his mind.

James's cautious conduct.

The wild attempts of Eſſex.

THIS moderation, which was merely the effect of diſguſt and diſappointment, was not of long continuance; and the queen, having not only refuſed to renew a lucrative grant

which ſhe had formerly beſtowed, but even to admit him into her preſence, that new injury drove a temper naturally impatient, and now much fretted, to abſolute deſpair. His friends, inſtead of ſoothing his rage, or reſtraining his impetuoſity, added to both by their imprudent and intereſted zeal. After many anxious conſultations, he determined to attempt to redreſs his wrongs by violence. But being conſcious how unpopular ſuch an enterpriſe would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the ſemblance of public utility, by mingling the king of Scotland's intereſt with his own. He wrote to James, that the faction which now predominated in the Engliſh court had reſolved to ſupport the pretenſions of the infanta of Spain to the crown; that the places of the greateſt importance in the kingdom were put into the hands of his avowed enemies; and that unleſs he ſent ambaſſadors, without delay, to inſiſt on the immediate declaration of his right of ſucceſſion, their meaſures were ſo well concerted, that all his hopes would be deſperate. James, who knew how diſagreeable ſuch a propoſal would be to the queen of England, was not willing raſhly to expoſe himſelf to her diſpleaſure. Eſſex, nevertheleſs, blinded by reſentment, and impatient for revenge, abandoned himſelf to theſe paſſions, and acted like a man guided by phrenzy or deſpair. With two or three hundred followers incompletely armed, he attempted to aſſault a throne the beſt eſtabliſhed in Europe. Sallying at their head out of his own houſe, he called on the citizens of London, if they either valued his life, or wiſhed to preſerve the kingdom from the dominion of the Spaniards, to take arms, and to follow his ſtandard. He advanced towards the palace with an intention to drive Cecil and his faction out of the queen's preſence, and to obtain a declaration of the Scottiſh king's right of ſucceſſion [b]. But, though almoſt adored by the citizens, not a man would join him in this wild enterpriſe. Diſpirited by their indifference, deſerted by ſome of his own attendants, and almoſt ſurrounded by the troops which marched againſt him under different leaders into the city, he retreated to his own houſe; and without any bold effort, ſuitable to his preſent condition, or worthy of his former reputation for courage, he ſurrendered to his enemies.

As ſoon as James heard of Eſſex's ill ſucceſs, he appointed the earl of Mar, and Bruce, abbot of Kinloſs, to repair as his ambaſſadors to the court of England. The former of theſe

[b] Birch. Mem. ii. 477.

BOOK VIII. 1603.

was the perſon by whoſe means Eſſex had carried on his correſpondence with the king. He was a paſſionate admirer of the earl's character, and diſpoſed to attempt every thing that could contribute to his ſafety. Bruce, united in a cloſe friendſhip with Mar, was ready to ſecond him with equal zeal. Nor was the purpoſe of the embaſſy leſs friendly to Eſſex, than the choice of his ambaſſadors; they were commanded to ſolicit, in the warmeſt manner, for the earl's life, and if they found that the king, by avowing his friends, could either promote their deſigns or contribute to their ſafety, they were impowered to lay aſide all diſguiſe, and to promiſe that he would put himſelf at their head, and claim what was due to him by force of arms[c]. But before the ambaſſadors could reach London, Eſſex had ſuffered the puniſhment which he merited by his treaſon. Perhaps, the fear of their interpoſing, in order to obtain his pardon, haſtened his death. Elizabeth continued, for ſome time, irreſolute concerning his fate, and could not bring herſelf to conſign into the hands of the executioner, a man who had once poſſeſſed her favour ſo entirely, without a painful ſtruggle between her reſentment againſt his late miſconduct, and her ancient affection towards him. The diſtreſs to which he was now reduced, tended naturally to ſoften the former, while it revived the latter with new tenderneſs; and the interceſſion of one faithful friend, who had intereſt with the queen, might perhaps have ſaved his life, and have procured him a remiſſion, which, of herſelf, ſhe was aſhamed to grant. But this generous nobleman had at that time no ſuch friend. Elizabeth, ſolicited inceſſantly by her miniſters, and offended with the haughtineſs of Eſſex, who, as ſhe imagined, ſcorned to ſue for pardon, at laſt commanded the ſentence to be put in execution. No ſooner was the blow ſtruck, than ſhe repented of her own raſhneſs, and bewailed his death with the deepeſt ſorrow. James always conſidered him as one who had fallen a martyr to his ſervice, and, after his acceſſion to the Engliſh throne, reſtored his ſon to his honours, as well as all his aſſociates in the conſpiracy, and diſtinguiſhed them with his favour[d].

His death.

James continues his intrigues in England.

THE Scottiſh ambaſſadors, finding that they had arrived too late to execute the chief buſineſs committed to their charge, not only concealed that part of their inſtructions with the utmoſt care; but congratulated the queen, in their maſter's name, on her happy eſcape from ſuch an audacious conſpiracy. Elizabeth, though no ſtranger to the king's

[c] Johnſt. 289. Birch. Mem. ii. 510. [d] Camd. Spotſw. 464.

conreſpond-

correſpondence with Eſſex, or to that nobleman's intentions of aſſerting James's right to the crown, was not willing that theſe ſhould be known to the people, and, for that reaſon, received the congratulations of the Scottiſh ambaſſadors with all poſſible marks of credit and good will; and in order to ſooth James, and to preſerve the appearances of union between the two courts, increaſed the ſubſidy which ſhe paid him annually. The ambaſſadors reſided for ſome time in England, and were employed, with great ſucceſs, in renewing and extending the intrigues which Bruce had formerly entered into with the Engliſh nobles. As Elizabeth advanced in years, the Engliſh turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future monarch. Aſſurances of attachment, profeſſions of regard, and promiſes of ſupport, were offered to James from every corner of the kingdom. Cecil himſelf, perceiving what hopes Eſſex had founded on the friendſhip of the Scottiſh king, and what advantages he might have derived from it, thought it prudent to ſtand no longer at a diſtance from a prince, who might ſo ſoon become his maſter. But being ſenſible at the ſame time how dangerous ſuch an intercourſe might prove, under a miſtreſs naturally jealous, and whoſe jealouſy grew ſtronger with old age; though he entered into a correſpondence with him, he carried it on with all the ſecrecy and caution neceſſary in his ſituation, and peculiar to his character[d]. James having gained the man whoſe oppoſition and influence he had hitherto chiefly dreaded, waited, in perfect ſecurity, till that event ſhould happen, which would open his way to the throne of England[e]. It was with ſome difficulty that he reſtrained within proper bounds his adherents in that kingdom, who, labouring to diſtinguiſh themſelves by that officious zeal with which a prince, who has a near proſpect of mounting the throne, is always ſerved, urged him to allow a motion to be made in parliament for declaring his right of ſucceſſion to the crown. James prudently diſcouraged that deſign; but it was with no ſmall ſatisfaction that he obſerved the aſcendant he was acquiring in a court, the dictates of

[d] See Append. No. XX.

[e] Dr. Birch, in his Life of Prince Henry, p. 232, has given ſome account of the myſterious mode in which this correſpondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithſtanding the ſolicitude which Cecil repeatedly diſcovers, that his letters ſhould be deſtroyed as ſoon as the king had read them, a conſiderable number of them has been preſerved, and publiſhed by Sir David Dalrymple in the year 1766. They were written by lord Henry Howard, under the inſpection of Cecil, in a ſtyle affectedly obſcure. The whole correſpondence is more curious than inſtructive.

BOOK VIII.

which he had been ſo long obliged to obey; and which had either preſcribed or thwarted every ſtep he had taken during the whole courſe of his reign [f].

1602. Attempts to civilize the Highlanders.

NOTWITHSTANDING the violent ſtruggles of the political factions which divided the court, and the frequent revolutions which had happened there, ſince the king firſt took the reins of government into his own hands, Scotland had enjoyed unuſual tranquillity; being undiſturbed by any foreign enemy, and free from any inteſtine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Iſles, a part of his dominions too much neglected by former monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had afforded an opportunity of ſubduing the licentious ſpirit of the borderers, and of reſtraining their depredations, often no leſs ruinous to their countrymen than to their enemies. The inhabitants of the Low Country began, gradually, to forget the uſe of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fierceneſs, averſe from labour, and inured to rapine, infeſted their more induſtrious neighbours by their continual incurſions. James, being ſolicitous not only to repreſs their inroads, but to render them uſeful ſubjects [g], had at different times enacted many wiſe laws extremely conducive to theſe ends. All landlords, or chiefs of clans, were enjoined to permit no perſons to reſide in their eſtates, who could not find ſufficient ſurety for their good behaviour; they were required to make a liſt of all ſuſpicious perſons under their juriſdiction, to bind themſelves to deliver them to juſtice, and to indemnify thoſe who ſhould ſuffer by their robberies; and, in order to aſcertain the faithful performance of theſe articles, the chiefs themſelves were obliged to give hoſtages to the king, or to put pledges in his hands. Three towns, which might ſerve as a retreat for the induſtrious, and a nurſery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the iſle of Lewis; and, in order to draw inhabitants thither, all the privileges of royal boroughs were to be conferred upon them. Finding it, however, to be no eaſy matter to inſpire the natives of thoſe countries with the love of induſtry, a reſolution was taken to plant among them colonies of people from the more induſtrious counties. The firſt experiment was made in the iſle of Lewis; and as it was ad-

[f] Spotſw. 467. 471. Birch. Mem. ii. 514. [g] Baſil. Dor. 139.

vantageouſly

vantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders, enraged at seeing their country occupied by those intruders, took arms, and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The king's attention being soon after turned to other objects, we hear no more of this salutary project. Though James did not pursue the design with that steady application and perseverance, without which it is impossible to change the manners of a whole people, he had the glory, however, not only of having first conceived the thoughts, but of having first pointed out the proper method of introducing the civil arts of life into that part of the island [h].

1602.

Elizabeth's last illness, and death.

After having long enjoyed a good state of health, the effect of a sound constitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decrease, and to be sensible of the infirmities of old age. Having removed on a very stormy day from Westminster to Richmond, whither she was impatient to retire, her complaints increased. She had no formed fever; her pulse was good; but she eat little, and could not sleep. Her distemper seemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in solitude, she sat constantly in the dark; and was often drowned in tears.

1603. January 31.

No sooner was the queen's indisposition known, than persons of all ranks, and of all different sects and parties, redoubled their applications to the king of Scots, and vied with each other in professions of attachment to his person, and in promises of submission to his government. Even some of Elizabeth's own servants, weary of the length of her reign, fond of novelty, impatient to get rid of the burthen of gratitude for past benefits, and expecting to share in the liberality of a new prince, began to desert her; and crowds of people hurried towards Scotland, eager to pre-occupy the favour of the successor, or afraid of being too late in paying homage to him.

Meanwhile, the queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder,

[h] Parl. 1587. 1594. 1597. Spotsw. 468.

from

BOOK VIII. 1603.

from which she seemed to be exempted by the natural cheerfulness of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the earl of Tyronne, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with most indecent indifference, and looked forward to the accession of the Scottish king, with an impatience which they could not conceal. The most common opinion, at that time, and perhaps the most probable, was, that it flowed from grief for the earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears[i]. An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrows. The countess of Nottingham, being on her death-bed, desired to see the queen, in order to reveal something to her, without discovering which, she could not die in peace. When the queen came into her chamber, she told her, that while Essex lay under sentence of death, he was desirous of imploring pardon in the manner which the queen herself had prescribed, by returning a ring, which during the height of his favour she had given him, with a promise that if, in any future distress, he sent that back to her as a token, it should intitle him to her protection; that lady Scroop was the person he intended to employ in order to present it; that, by a mistake, it was put into her hands instead of lady Scroop's; and that she having communicated the matter to her husband, one of Essex's most implacable enemies, he had forbid her either to carry the ring to the queen, or to return it to the earl. The countess, having thus disclosed her secret, begged the queen's forgiveness; but Elizabeth, who now saw both the malice of the earl's enemies, and how unjustly she had suspected him of inflexible obstinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion[k]. From that moment, her spirit sunk entirely; she could

[i] Birch. Mem. ii. 505.

[k] This anecdote concerning Elizabeth was first published by Osborne, Mem. of Eliz. p. 23; is confirmed by the testimony of de Maurier, Mem. 280, and by the traditional evidence of lady Elizabeth Spelman, published by Dr. Birch, Negoc. 106. Camden mentions the queen's grief for Essex's death as one of the causes of her melancholy. Some original papers remain, which prove that this was commonly believed at the time. Birch. Mem. ii. 506. Essex, however, had been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrows should revive with so much violence at so great a distance of time. As the death of the countess of Nottingham happened about a fortnight before the queen's death,

could ſcarce taſte food; ſhe refuſed all the medicines pre- BOOK VIII. 1603.
ſcribed by her phyſicians; declaring that ſhe wiſhed to die, and would live no longer. No intreaty could prevail on her to go to bed; ſhe ſat on cuſhions, during ten days and nights, penſive and ſilent, holding her finger almoſt continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which ſhe ſeemed to give any attention was the acts of devotion performed in her apartment by the archbiſhop of Canterbury; and in theſe ſhe joined with great appearance of fervour. Waſted, at laſt, as well by anguiſh of mind, as by long abſtinence, ſhe expired, without a ſtruggle, on Thurſday the twenty-fourth day of March, in the ſeventieth year of her age, and in the forty-fifth of her reign[1].

Her character.

FOREIGNERS often accuſe the Engliſh of indifference and diſreſpect towards their princes. But without reaſon; no people are more grateful than they to thoſe monarchs who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the Engliſh of this age with the ſame warmth as they were by thoſe who ſhared in the bleſſings and ſplendour of their reigns. The memory of Elizabeth is ſtill adored in England. The hiſtorians of that kingdom, after celebrating her love of her people; her ſagacity in diſcerning their true intereſt; her ſteadineſs in purſuing it; her wiſdom in the choice of her miniſters; the glory ſhe acquired by arms; the tranquillity ſhe ſecured to her ſubjects; and the increaſe of fame, of riches, and of commerce, which were the fruits of all theſe; juſtly rank her among the moſt illuſtrious princes. Even the defects in her character, they obſerve, were not of a kind pernicious to her people. Her exceſſive frugality was not accompanied with the love of hoarding; and though it prevented ſome great undertakings, and rendered the ſucceſs of others incomplete, it introduced œconomy into her adminiſtration, and exempted the nation from many burdens, which a monarch, more profuſe or more enterpriſing, muſt have impoſed. Her ſlowneſs in rewarding her ſervants ſometimes diſcouraged uſeful merit; but it prevented the undeſerving

death, the coincidence of theſe events, together with the other evidence mentioned, adds ſo much probability to the ſtory related by Oſborne, as will entitle it to a place in hiſtory. The only objection to the account we have given of Elizabeth's attachment to Eſſex, ariſes from her great age. At the age of 68, the amorous paſſions are commonly abundantly cool, and the violence of all the paſſions, except one, is much abated. But the force of this objection is entirely removed by an author who has illuſtrated many paſſages in the Engliſh hiſtory, and adorned more. Catalogue of Royal and Noble Authors, Article Eſſex.

[1] Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. Strype, iv. 373.

from

BOOK VIII. 1603.

from acquiring power and wealth, to which they had no title. Her extreme jealouſy of thoſe princes who pretended to diſpute her right to the crown, led her to take ſuch precautions, as tended no leſs to the public ſafety, than to her own; and to court the affections of her people, as the firmeſt ſupport of her throne. Such is the picture which the Engliſh draw of this great queen.

WHOEVER undertakes to write the hiſtory of Scotland, finds himſelf obliged, frequently, to view her in a very different, and in a leſs amiable light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which ſhe poſſeſſed in her own. But this authority, acquired at firſt by a ſervice of great importance to the nation, ſhe exerciſed in a manner extremely pernicious to its happineſs. By her induſtry in fomenting the rage of the two contending factions; by ſupplying the one with partial aid; by feeding the other with falſe hopes; by balancing their power ſo artfully, that each of them was able to diſtreſs, and neither of them to ſubdue the other; ſhe rendered Scotland long the ſeat of diſcord, confuſion, and bloodſhed: and her craft and intrigues, affecting what the valour of her anceſtors could not accompliſh, reduced that kingdom to a ſtate of dependance on England. The maxims of policy, often little conſonant to thoſe of morality, may, perhaps, juſtify this conduct. But no apology can be offered for her behaviour to queen Mary; a ſcene of diſſimulation without neceſſity; and of ſeverity beyond example. In almoſt all her other actions, Elizabeth is the object of our higheſt admiration; in this we muſt allow that ſhe not only laid aſide the magnanimity which became a queen, but the feelings natural to a woman.

James proclaimed king of England.

THOUGH Elizabeth would never permit the queſtion concerning the right of ſucceſſion to the crown to be determined in parliament; nor declare her own ſentiments concerning a point which ſhe wiſhed to remain an impenetrable myſtery; ſhe had, however, formed no deſign of excluding the Scottiſh king from an inheritance to which his title was undoubted. A ſhort time before her death, ſhe broke the ſilence which ſhe had ſo long preſerved on that ſubject, and told Cecil and the lord admiral, "That her throne was the throne of kings; that ſhe would have no mean perſon to aſcend it, and that her couſin the king of Scots ſhould be her ſucceſſor." This ſhe confirmed on her death-bed. As ſoon as ſhe breathed her laſt, the lords of the privy council proclaimed James king of England. All the intrigues carried on by foreigners in favour of the infanta, all the cabals formed

formed within the kingdom to ſupport the titles of lady Arabella and the earl of Hartford, diſappeared in a moment; the nobles and people, forgetting their ancient hoſtilities with Scotland, and their averſion for the dominion of ſtrangers, teſtified their ſatisfaction with louder acclamations than were uſual at the acceſſion of their native princes. Amidſt this tumult of joy, a motion made by a few patriots, who propoſed to preſcribe ſome conditions to the ſucceſſor, and to exact from him the redreſs of ſome grievances, before they called him to the throne, was ſcarcely heard; and Cecil, by ſtifling it, added to his ſtock of merit with his new maſter. Sir Charles Percy, brother of the earl of Northumberland, and Thomas Somerſet, the earl of Worceſter's ſon, were diſpatched to Scotland, with a letter to the king, ſigned by all the peers and privy counſellors then in London, informing him of the queen's death, of his acceſſion to the throne, of their care to recognize his title, and of the univerſal applauſe with which the public proclamation of it had been attended. They made the utmoſt haſte to deliver this welcome meſſage; but were prevented by the zeal of ſir Robert Carey, lord Hunſdon's youngeſt ſon, who ſetting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, juſt as the king had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the king's bed, acquainted him with the death of Elizabeth, ſaluted him king of England, Scotland, France, and Ireland; and as a token of the truth of the intelligence which he brought, preſented him a ring, which his ſiſter lady Scroop had taken from the queen's finger after her death. James heard him with a decent compoſure. But as Carey was only a private meſſenger, the information which he brought was not made public, and the king kept his apartment till the arrival of Percy and Somerſet. Then his titles were ſolemnly proclaimed; and his own ſubjects expreſſed no leſs joy, than the Engliſh, at this increaſe of his dignity. As his preſence was abſolutely neceſſary in England, where the people were extremely impatient to ſee their new ſovereign, he prepared to ſet out for that kingdom without delay. He appointed his queen to follow him within a few weeks. He committed the government of Scotland to his privy council. He intruſted the care of his children to different noblemen. On the Sunday before his departure, he repaired to the church of St. Giles, and after hearing a ſermon, in which the preacher diſplayed the greatneſs of the divine goodneſs in raiſing him to the throne of ſuch a powerful kingdom without oppoſition or bloodſhed, and exhorted

BOOK VIII. 1603.

horted him to expreſs his gratitude, by promoting, to the utmoſt, the happineſs and proſperity of his ſubjects; the king roſe up, and addreſſing himſelf to the people, made many profeſſions of unalterable affection towards them; promiſed frequently to viſit Scotland; aſſured them that his Scottiſh ſubjects, notwithſtanding his abſence, ſhould feel that he was their native prince, no leſs than when he reſided among them; and might ſtill truſt that his ears ſhould be always open to their petitions, which he would anſwer with the alacrity and love of a parent. His words were often interrupted by the tears of the whole audience; who, though they exulted at the king's proſperity, were melted into ſorrow by theſe tender declarations [m].

Takes poſſeſſion of the throne.

On the fifth of April he began his journey, with a ſplendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immenſe multitudes were aſſembled to welcome him; and the principal perſons in the different counties through which he paſſed, diſplayed all their wealth and magnificence in entertainments prepared for him at their houſes. Elizabeth had reigned ſo long in England, that moſt of her ſubjects remembered no other court but hers, and their notions of the manners and decorums ſuitable to a prince were formed upon what they had obſerved there. It was natural to apply this ſtandard to the behaviour and actions of their new monarch, and to compare him, at firſt ſight, with the queen, on whoſe throne he was to be placed. James, whoſe manners were extremely different from hers, ſuffered by the compariſon. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and, though eaſy among a few whom he loved, his indolence could not bear the fatigue of rendering himſelf agreeable to a mixed multitude. He was no leſs a ſtranger to that dignity with which Elizabeth tempered her familiarity. And, inſtead of that well-judged frugality with which ſhe conferred titles of honour, he beſtowed them with an undiſtinguiſhing profuſion, that rendered them no longer marks of diſtinction, or rewards of merit. But theſe were the reflections of the few alone; the multitude continued their acclamations; and amidſt theſe, James entered London on the 7th of May, and took peaceable poſſeſſion of the throne of England.

Concluſion.

Thus were united two kingdoms, divided from the earlieſt accounts of time, but deſtined, by their ſituation, to form one great monarchy. By this junction of its whole native

[m] Spotſw. 476.

force,

force, Great Britain hath riſen to an eminence and authority in Europe, which England and Scotland could never have attained. BOOK VIII.

A view of the Revolutions in the Conſtitution of Scotland ſince the acceſſion of James VI.

THE Scots had ſo long conſidered their monarchs as next heirs to the Engliſh throne, that they had full leiſure to reflect on all the conſequences of their being advanced to that dignity. But, dazzled with the glory of giving a ſovereign to their powerful enemy, relying on the partiality of their native prince, and in full expectation of ſharing liberally in the wealth and honours which he would now be able to beſtow, they attended little to the moſt obvious conſequences of that great event, and rejoiced at his acceſſion to the throne of England, as if it had been no leſs beneficial to the kingdom, than honourable to the king. They ſoon had reaſon, however, to adopt very different ſentiments; and from that period we may date a total alteration in the political conſtitution of Scotland.

THE feudal ariſtocracy, which had been ſubverted in moſt nations of Europe by the policy of their princes, or had been undermined by the progreſs of commerce, ſtill ſubſiſted with full force in Scotland. Many cauſes had contributed gradually to augment the power of the Scottiſh nobles; and even the Reformation, which, in every other country where it prevailed, added to the authority of the monarch, had increaſed their wealth and influence. A king poſſeſſed of a ſmall revenue, with a prerogative extremely limited, and unſupported by a ſtanding army, could not exerciſe much authority over ſuch potent ſubjects. He was obliged to govern by expedients; and the laws derived their force not from his power to execute them, but from the voluntary ſubmiſſion of the nobles. But though this produced a ſpecies of government extremely feeble and irregular; though Scotland, under the name, and with all the outward enſigns of a monarchy, was really ſubject to an ariſtocracy, the people were not altogether unhappy; and even in this wild form of a conſtitution, there were principles, which tended to their ſecurity and advantage. The king, checked and overawed by the nobles, durſt venture upon no act of arbitrary power. The nobles, jealous of the king, whoſe claims and pretenſions were many, though his power was ſmall, were afraid of irritating their dependants by unreaſonable exactions, and tempered the rigour of ariſtocratical tyranny, with a mildneſs and equality to which it is naturally a ſtranger. As long as the military genius of the feudal government remained in vigour, the vaſſals both of the crown and of the barons were generally not only free from

BOOK VIII. oppreſſion, but were courted by their ſuperiors, whoſe power and importance were founded on their attachment and love.

But, by his acceſſion to the throne of England, James acquired ſuch an immenſe acceſſion of wealth, of power, and of ſplendour, that the nobles, aſtoniſhed and intimidated, thought it vain to ſtruggle for privileges which they were now unable to defend. Nor was it from fear alone that they ſubmitted to the yoke; James, partial to his countrymen, and willing that they ſhould partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their fierce and independent ſpirits. The will of the prince became the ſupreme law in Scotland; and the nobles ſtrove, with emulation, who ſhould moſt implicitly obey commands, which they had formerly been accuſtomed to contemn. Satisfied with having ſubjected the nobles to the crown, the king left them in full poſſeſſion of their ancient juriſdiction over their own vaſſals. The extenſive rights, veſted in a feudal chief, became in their hands dreadful inſtruments of oppreſſion, and the military ideas, on which theſe rights were founded, being gradually loſt or diſregarded, nothing remained to correct or to mitigate the rigour with which they were exerciſed. The nobles, exhauſting their fortunes by the expence of frequent attendance upon the Engliſh court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durſt hardly utter complaints which they knew would never reach the ear of their ſovereign, nor move him to grant them any redreſs. From the union of the crowns to the revolution in 1688, Scotland was placed in a political ſituation, of all others the moſt ſingular and the moſt unhappy; ſubjected at once to the abſolute will of a monarch, and to the oppreſſive juriſdiction of an ariſtocracy, it ſuffered all the miſeries peculiar to both theſe forms of government. Its kings were deſpotic; its nobles were ſlaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to ſhake off the yoke, and to regain their ancient independency. After the death of James, the Scottiſh nation was no longer viewed by our monarchs with any partial affection. Charles I. educated among the Engliſh, diſcovered no peculiar attachment to the kingdom of which he was a native. The nobles, perceiving the ſceptre to be now in hands leſs friendly, and ſwayed by a prince with whom

whom they had little connexion, and over whose councils they had little influence, no longer ſubmitted with the ſame implicit obedience. Provoked by ſome encroachments of the king on their order, and apprehenſive of others, the remains of their ancient ſpirit began to appear. They complained and remonſtrated. The people being, at the ſame time, violently diſguſted at the innovations in religion, the nobles ſecretly heightened this diſguſt; and their artifices, together with the ill-conduct of the court, raiſed ſuch a ſpirit, that the whole nation took arms againſt their ſovereign, with an union and animoſity of which there had formerly been no example. Charles brought againſt them the forces of England, and notwithſtanding their own union, and the zeal of the people, the nobles muſt have ſunk in the ſtruggle. But the diſaffection which was growing among his Engliſh ſubjects, prevented the king from acting with vigour. A civil war broke out in both kingdoms; and after many battles and revolutions, which are well known, the Scottiſh nobles, who firſt began the war, were involved in the ſame ruin with the throne. At the reſtoration, Charles II. regained full poſſeſſion of the royal prerogative in Scotland; and the nobles, whoſe eſtates were waſted, or their ſpirit broken, by the calamities to which they had been expoſed, were leſs able and leſs willing than ever to reſiſt the power of the crown. During his reign, and that of James VII. the dictates of the monarch were received in Scotland with moſt abject ſubmiſſion. The poverty to which many of the nobles were reduced, rendered them meaner ſlaves, and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to thoſe adopted by their princes.

THE revolution introduced other maxims into the government of Scotland. To increaſe the authority of the prince, or to ſecure the privileges of the nobles, had hitherto been almoſt the ſole object of our laws. The rights of the people were hardly ever mentioned, were diſregarded, or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were ſecured; and the number of their repreſentatives being increaſed, they gradually acquired new weight and conſideration in parliament. As they came to enjoy more ſecurity and greater power, their minds began to open, and to form more extenſive plans of commerce, of induſtry, and of police. But the ariſtocratical ſpirit, which ſtill predominated,

 together

BOOK VIII.

together with many other accidents, retarded the improvement and happineſs of the nation.

ANOTHER great event completed what the revolution had begun. The political power of the nobles, already broken by the union of the two crowns, was almoſt annihilated by the union of the two kingdoms. Inſtead of making a part, as formerly, of the ſupreme aſſembly of the nation, inſtead of bearing the moſt conſiderable ſway there, the peers of Scotland are admitted into the Britiſh parliament by their repreſentatives only, and form but an inconſiderable part of one of thoſe bodies in which the legiſlative authority is veſted. They themſelves are excluded abſolutely from the houſe of commons, and even their eldeſt ſons are not permitted to repreſent their countrymen in that auguſt aſſembly. Nor have their feudal privileges remained, to compenſate for this extinction of their political authority. As commerce advanced in its progreſs, and government attained nearer to perfection, theſe were inſenſibly circumſcribed, and at laſt, by laws no leſs ſalutary to the public, than fatal to the nobles, they have been almoſt totally aboliſhed. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens to which they were formerly ſubject; ſcreened from oppreſſion, to which they had been long expoſed, and adopted into a conſtitution whoſe genius and laws were more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegancies of life, and cultivated the arts and ſciences.

THIS ſurvey of the political ſtate of Scotland, in which events and their cauſes have been mentioned rather than developed, enables us to point out three æras, from each of which we may date ſome great alteration in one or other of the three different members of which the ſupreme legiſlative aſſembly in our conſtitution is compoſed. At their *acceſſion* to the throne of England, the kings of Scotland, once the moſt limited, became, in an inſtant, the moſt abſolute princes in Europe, and exerciſed a deſpotic authority, which their parliaments were unable to controul, or their nobles to reſiſt. At the *union* of the two kingdoms, the feudal ariſtocracy, which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles, having ſurrendered rights and pre-eminences peculiar to their order, reduced themſelves to a condition which is no longer the terror and envy of other ſubjects. *Since the union*, the commons, anciently neglected by their kings, and ſeldom courted by the nobles, have emerged into dignity, and, being

ing admitted to a participation of all the privileges which the Engliſh had purchaſed at the expence of ſo much blood, muſt now be eſteemed a body not leſs conſiderable in the one kingdom, than they have long been in the other.

THE church felt the effects of the abſolute power which the king acquired by his acceſſion; and its revolutions, too, are worthy of notice. James, during the latter years of his adminiſtration in Scotland, had revived the name and office of biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence; their revenues were inconſiderable, and they were ſcarcely diſtinguiſhed by any thing but by their ſeat in parliament, and by being the object of the clergy's jealouſy, and the people's hatred. The king, delighted with the ſplendor and authority which the Engliſh biſhops enjoyed, and eager to affect an union in the eccleſiaſtical policy, which he had, in vain, attempted in the civil government of the two kingdoms, reſolved to bring both churches to an exact conformity with each other. Three Scotſmen were conſecrated biſhops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were impoſed; and though the clergy, leſs obſequious than the nobles, boldly oppoſed theſe innovations, James, long practiſed and well-ſkilled in the arts of managing them, obtained at length their compliance. But Charles I. a ſuperſtitious prince, unacquainted with the genius of the Scots, imprudent and precipitant in all the meaſures he purſued in that kingdom, preſſing too eagerly the reception of the Engliſh liturgy, and indiſcreetly attempting a reſumption of church lands, kindled the flames of civil war; and the people being left at liberty to indulge their own wiſhes, the epiſcopal church was overturned, and the preſbyterian government and diſcipline were re-eſtabliſhed with new vigour. Together with monarchy, epiſcopacy was reſtored in Scotland. A form of government, ſo odious to the people, required force to uphold it; and though not only the whole rigour of authority, but all the barbarity of perſecution were employed in its ſupport, the averſion of the nation was inſurmountable, and it ſubſiſted with difficulty. At the revolution, the inclinations of the people were thought worthy the attention of the legiſlature, the preſbyterian government was again eſtabliſhed, and, being ratified by the union, is ſtill maintained in the kingdom.

NOR did the influence of the acceſſion extend to the civil and eccleſiaſtical conſtitutions alone; the genius of the nation, its taſte and ſpirit, things of a nature ſtill more delicate, were ſenſibly affected by that event. When learning re-

BOOK VIII.

vived in the fifteenth and ſixteenth centuries, all the modern languages were in a ſtate equally barbarous, devoid of elegance of vigour, and even of perſpicuity. No author thought of writing in languages ſo ill adapted to expreſs and embelliſh his ſentiments, or of erecting a work for immortality with ſuch rude and periſhable materials. As the ſpirit, which prevailed at that time, did not owe its riſe to any original effort of the human mind, but was excited by admiration of the ancients, their compoſitions were deemed not only the ſtandards of taſte and of ſentiment, but of ſtyle; and even the languages in which they wrote were thought to be peculiar, and almoſt conſecrated to learning and the muſes. Not only the manner of the ancients was imitated, but their language copied; and, extravagant as the attempt may appear to write in a dead tongue, in which men were not accuſtomed to think, and which they could not ſpeak, or even pronounce, the ſucceſs of it was aſtoniſhing. As they formed their ſtyle upon the pureſt models; as they were uninfected with thoſe barbariſms, which the inaccuracy of familiar converſation, the affectation of courts, intercourſe with ſtrangers, and a thouſand other cauſes, introduce into living languages; many moderns have attained to a degree of elegance in their Latin compoſitions, which the Romans themſelves ſcarce poſſeſſed beyond the limits of the Auguſtan age. While this was almoſt the only ſpecies of compoſition, and all authors, by uſing one common language, could be brought to a nearer compariſon, the Scotiſh writers were not inferior to thoſe of any other nation. The happy genius of Buchanan, equally formed to excel in proſe and in verſe, more various, more original, and more elegant, than that of almoſt any other modern who writes in Latin, reflects, with regard to this particular, the greateſt luſtre on his country.

But the labour attending the ſtudy of a dead tongue was irkſome; the unequal return for their induſtry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying; and men, inſtead of waſting half their lives in learning the language of the Romans, began to refine and to poliſh their own. The modern tongues were found to be ſuſceptible of beauties and graces, which, if not equal to thoſe of the ancient ones, were at leaſt more attainable. The Italians having firſt ſet the example, Latin was no longer uſed in the works of taſte; it was confined to books of ſcience; and the politer nations have baniſhed it even from theſe. The Scots, we

may presume, would have had no cause to regret this change in the public taste, and would still have been able to maintain some equality with other nations, in their pursuit of literary honour. The English and Scottish languages, derived from the same sources, were, at the end of the sixteenth century, in a state nearly similar, differing from one another somewhat in orthography, though not only the words, but the idioms were much the same. The letters of several Scottish statesmen of that age are not inferior in elegance, or in purity, to those of the English ministers with whom they corresponded. James himself was master of a style far from contemptible; and by his example and encouragement, the Scottish language might have kept pace with the English in refinement. Scotland might have had a series of authors in its own, as well as in the Latin language, to boast of; and the improvements in taste, in the arts, and in the sciences, which spread over the other polished nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the use of Latin in works of taste, and to make trial of the strength and compass of their own languages, Scotland ceased to be a kingdom. The transports of joy, which the accession at first occasioned, were soon over: and the Scots, being at once deprived of all the objects that refine or animate a people; of the presence of their prince, of the concourse of nobles, of the splendour and elegance of a court, an universal dejection of spirit seems to have seized the nation. The court being withdrawn, no domestic standard of propriety and correctness of speech remained; the few compositions that Scotland produced were tried by the English standard, and every word or phrase that varied in the least from that, was condemned as barbarous; whereas, if the two nations had continued distinct, each might have retained idioms and forms of speech peculiar to itself; and these, rendered fashionable by the example of a court, and supported by the authority of writers of reputation, might have been considered in the same light with the varieties occasioned by the different dialects in the Greek tongue; might have been considered as beauties; and, in many cases, might have been used promiscuously by the authors of both nations. But, by the accession, the English naturally became the sole judges and lawgivers in language, and rejected as solecisms, every form of speech to which their ear was not accustomed. Nor did the Scots, while the inter-

BOOK VIII.

course between the two nations was inconsiderable [n], and ancient prejudices were still so violent as to prevent imitation, possess the means of refining their own tongue according to the purity of the English standard. On the contrary, new corruptions flowed into it from every different source. The clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not arise many authors among them, yet being in possession of the privilege of discoursing publicly to the people, and their sermons being too long, and perhaps too frequent, such hasty productions could not be elegant, and many slovenly and incorrect modes of expression may be traced back to that original. The pleadings of lawyers were equally loose and inaccurate, and that profession having furnished more authors, and the matters of which they treat mingling daily in common discourse and business, many of those vicious forms of speech, which are denominated *Scotticisms*, have been introduced by them into the language. Nor did either the language or public taste receive any improvement in parliament, where a more liberal and more correct eloquence might have been expected. All business was transacted there by the lords of articles, and they were so servilely devoted to the court, that few debates arose, and, prior to the revolution, none were conducted with the spirit and vigour natural to a popular assembly.

THUS, during the whole seventeenth century, the English were gradually refining their language and their taste; in Scotland the former was much debased, and the latter almost entirely lost. In the beginning of that period, both nations were emerging out of barbarity; but the distance between them, which was then inconsiderable, became, before the end of it, immense. Even after science had once dawned upon them, the Scots seemed to be sinking back into ignorance and obscurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the pursuit of fame and knowledge, in a state of languor. This, however, must be imputed to the un-

[n] A remarkable proof of the little intercourse between the English and Scots before the union of the crowns, is to be found in two curious papers, one published by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the bishop of London to take a survey of all the strangers within the cities of London and Westminster. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A survey of the same kind was made by Sir Thomas Row, lord mayor, A. D. 1568. The number of Scots had then increased to 88. Strype, iv. Supplement, No. I. On the accession of James, a considerable number of Scots, especially of the higher rank, resorted to England; but it was not till the union that the intercourse between the two kingdoms became great.

happiness

happineſs of their political ſituation, not to any defect of genius; for no ſooner was the one removed in any degree, than the other began to diſplay itſelf. The act aboliſhing the power of the lords of articles, and other ſalutary laws paſſed at the revolution, having introduced freedom of debate into the Scottiſh parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is ſufficient to ſhew that the Scots were ſtill capable of generous ſentiments, and, notwithſtanding ſome peculiar idioms, were able to expreſs themſelves with energy, and with elegance.

At length the union having incorporated the two nations, and rendered them one people, the diſtinctions which had ſubſiſted for many ages gradually wear away; peculiarities diſappear; the ſame manners prevail in both parts of the iſland; the ſame authors are read and admired; the ſame entertainments are frequented by the elegant and polite; and the ſame ſtandard of taſte, and of purity in language, is eſtabliſhed. The Scots, after being placed, during a whole century, in a ſituation no leſs fatal to the liberty than to the taſte and genius of the nation, were at once put in poſſeſſion of privileges more valuable than thoſe which their anceſtors had formerly enjoyed; and every obſtruction that had retarded their purſuit, or prevented their acquiſition of literary fame, was totally removed.

DISSERTATION

CONCERNING

The Murder of King HENRY, and the Genuineneſs of the Queen's Letters to Bothwell.

IT is not my intention to engage in all the controverſies to which the murder of king Henry, or the letters from queen Mary to Bothwell, have given riſe; far leſs to appear as an adverſary to any particular author, who hath treated of them. To repeat, and to expoſe all the ill-founded aſſertions with regard to theſe points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from diſhoneſty, would be no leſs irkſome to myſelf, than unacceptable to moſt of my readers. All I propoſe, is to aſſiſt others in forming ſome judgment concerning the facts in diſpute, by ſtating the proofs produced on each ſide, with as much brevity as the caſe will admit, and with the ſame attention and impartiality which I have endeavoured to exerciſe in examining other controverted points in the Scottiſh hiſtory.

IN order to account for the king's murder, two different ſyſtems have been formed. The one ſuppoſes Bothwell to have contrived and executed this crime. The other imputes it to the earls of Murray, Morton, and their party.

THE deciſion of many controverted facts in hiſtory, is a matter rather of curioſity than of uſe. They ſtand detached; and whatever we determine with regard to them, the fabric of the ſtory remains untouched. But the fact under diſpute in this place is a fundamental and eſſential one, and according to the opinion which an hiſtorian adopts with regard to it, he muſt vary and diſpoſe the whole of his ſubſequent narration. An hiſtorical ſyſtem may be tried in two different ways, whether it be conſiſtent with probability, and whether it be ſupported by proper evidence.

THOSE who charge the king's murder upon Bothwell, argue in the following manner; and though their reaſonings have been

been mentioned already in different places of the narrative, it is neceſſary to repeat them here. Mary's love for Darnly, ſay they, was a ſudden and youthful paſſion. The beauty of his perſon, ſet off by ſome external frivolous accompliſhments, was his chief merit. His capricious temper ſoon raiſed in the queen a diſguſt, which broke out on different occaſions. His engaging in the conſpiracy againſt Rizio, converted this diſguſt into an antipathy, which he was at no pains to conceal. This breach was, perhaps, in its own nature, irreparable; the king certainly wanted that art and condeſcenſion which alone could have repaired it. It widened every day, and a deep and ſettled hatred effaced all remains of affection. Bothwell obſerved this, and was prompted by ambition, and perhaps by love, to found upon it a ſcheme, which proved fatal both to the queen and to himſelf. He had ſerved Mary at different times with fidelity and ſucceſs. He inſinuated himſelf into her favour, by addreſs and by flattery. By degrees he gained her heart. In order to gratify his love, or at leaſt his ambition, it was neceſſary to get rid of the king. Mary had rejected the propoſal which, it is ſaid, had been made to her for obtaining a divorce. The king was equally hated by the partiſans of the houſe of Hamilton, a conſiderable party in the kingdom; by Murray, one of the moſt powerful and popular perſons in his country; by Morton and his aſſociates, whom he had deceived, and whom Bothwell had bound to his intereſt by a recent favour. Among the people Darnly was fallen under extreme contempt. Bothwell might expect for all theſe reaſons, that the murder of the king would paſs without any inquiry, and might truſt to Mary's love, and to his own addreſs and good fortune, for the accompliſhment of the reſt of his wiſhes. What Bothwell expected really came to paſs. Mary, if not privy herſelf to the deſign, connived at an action which rid her of a man whom ſhe had ſuch good reaſon to deteſt. A few months after the murder of her huſband, ſhe married the perſon who was both ſuſpected and accuſed of having perpetrated that odious crime.

Those who charge the guilt upon Murray and his party reaſon in this manner: Murray, they ſay, was a man of boundleſs ambition. Notwithſtanding the illegitimacy of his birth, he had early formed a deſign of uſurping the crown. On the queen's return into Scotland, he inſinuated himſelf into her favour, and engroſſed the whole power into his own hands. He ſet himſelf againſt every propoſal of marriage which was made to her, leſt his own chance of ſucceeding to the crown ſhould be deſtroyed. He hated Darnly, and

and was no leſs hated by him. In order to be revenged on him, he entered into a ſudden friendſhip with Bothwell, his ancient and mortal enemy. He encouraged him to aſſaſſinate Henry, by giving him hopes of marrying the queen. All this was done with a deſign to throw upon the queen herſelf the imputation of being acceſſary to the murder, and, under that pretext, to deſtroy Bothwell, to depoſe and impriſon her, and to ſeize the ſceptre which he had wreſted out of her hands.

The former of theſe ſyſtems has an air of probability, is conſiſtent with itſelf, and ſolves appearances. In the latter, ſome aſſertions are falſe, ſome links are wanting in the chain, and effects appear, of which no ſufficient cauſe is produced. Murray, on the queen's return into Scotland, ſerved her with great fidelity, and by his prudent adminiſtration rendered her ſo popular, and ſo powerful, as enabled her with eaſe to quaſh a formidable inſurrection raiſed by the party of which he was the leader in the year 1565. What motive could induce Murray to murder a prince without capacity, without followers, without influence over the nobles, whom the queen, by her neglect, had reduced to the loweſt ſtate of contempt, and who, after a long diſgrace, had regained (according to the moſt favourable ſuppoſition) the precarious poſſeſſion of her favour only a few days before his death? It is difficult to conceive what Murray had to fear from the king's life. It is ſtill a more difficult matter to gueſs what he could gain by his death. If we ſuppoſe that the queen had no previous attachment to Bothwell, nothing can appear more chimerical than a ſcheme to perſuade her to marry a man, whoſe wife was ſtill alive, and who was not only ſuſpected, but accuſed, of murdering her former huſband. But that ſuch a ſcheme ſhould really ſucceed is ſtill more extraordinary.—If Murray had inſtigated Bothwell to commit the crime, or had himſelf been acceſſary to the commiſſion of it, what hopes were there that Bothwell would ſilently bear from a fellow-criminal all the proſecutions which he ſuffered, without ever retorting upon him the accuſation, or revealing the whole ſcene of iniquity? An ancient and deadly feud had ſubſiſted between Murray and Bothwell; the queen with difficulty had brought them to ſome terms of agreement. But is it probable that Murray would chuſe an enemy, to whom he had been ſo lately reconciled, for his confident in the commiſſion of ſuch an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wiſe man, firſt to raiſe his rival to ſupreme power, in hopes that afterwards he ſhould render him odious, by accuſing

him

him of crimes which he had not committed, and, in conſequence of this unjuſt charge, ſhould be enabled to deprive him of that power? The moſt adventurous politician never hazarded ſuch a dangerous experiment. The moſt credulous folly never truſted ſuch an uncertain chance.

How ſtrong ſoever theſe general reaſonings may appear to be, it is not upon them alone that we muſt decide, but according to the particular evidence that is produced. This we now proceed to examine.

That Bothwell was guilty of the king's murder, appears, 1. From the concurring teſtimony of all the contemporary hiſtorians. 2. From the confeſſion of thoſe perſons who ſuffered for aſſiſting at the commiſſion of the crime, and who entered into a minute detail of all its circumſtances. Anderſ. ii. 165. 3. From the acknowledgment of Mary's own commiſſioners, who allow Bothwell to have been one of thoſe who were guilty of this crime. Good. ii. 213. 4. From the expreſs teſtimony of Leſly, biſhop of Roſs, to the ſame effect with the former. Def. of Q. Mary's Hon. And. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had ſolicited him, at different times, to concur in the conſpiracy formed againſt the life of the King; and that he was informed by Archibald Douglas, one of the conſpirators, that Bothwell was preſent at the murder. Crawf. Mem. App. 4. The letter from Douglas to the queen, which I have publiſhed in the Appendix to Vol. II. No. XIV. confirms Morton's teſtimony. 6. Lord Herries promiſes, in his own name, and in the name of the nobles who adhered to the queen, that they would concur in puniſhing Bothwell as the murderer of the king. Append. Vol. I. No. XXIV.

The moſt direct charge ever brought againſt Murray is in theſe words of biſhop Leſly: "Is it unknown," addreſſing himſelf to the earl of Murray, "what the lord Herries ſaid "to your face openly, even at your own table, a few days "after the murder was committed? Did he not charge you "with the foreknowledge of the ſame murder? Did he not, "*nulla circutione uſus*, flatly and plainly burden you, that "riding in Fife, and coming with one of your moſt aſſured "and truſty ſervants the ſame day whereon you departed "from Edinburgh, ſaid to him, among other talk, This "night ere morning lord Darnly ſhall loſe his life?" Defence of Q. Mary, Anderſ. ii. 75. But the aſſertion of a man ſo heated with faction as Leſly, unleſs it were ſupported by proper evidence, is of little weight. The ſervant to whom Murray is ſaid to have ſpoken theſe words, is not named; nor the manner in which this ſecret converſation was brought

to

to light mentioned. Lord Herries was one of the moſt zealous advocates for Mary, and it is remarkable that, in all his negotiation at the court of England, he never once repeated this accuſation of Murray. In anſwering the challenge given him by lord Lindſay, Herries had a fair opportunity of mentioning Murray's knowledge of the murder; but though he openly accuſes of that crime ſome of thoſe who adhered to Murray, he induſtriouſly avoids any inſinuation againſt Murray himſelf. Keith, Pref. xii. Mary herſelf, in converſation with Sir Francis Knolles, accuſed Morton and Maitland of being privy to the murder, but does not mention Murray. And. iv. 55. When the biſhop of Roſs and lord Herries appeared before the Engliſh council, January 11, 1569, they declared themſelves ready, in obedience to the queen's command, to accuſe Murray and his aſſociates of being acceſſory to the murder, but "they being alſo re-"quired, whether they, or any of them, as of themſelves, "would accuſe the ſaid earl in ſpecial, or any of his adhe-"rents, or thought them guilty thereof;" they anſwered, "that they took God to witneſs that none of them did ever "know any thing of the conſpiracy of that murder, or were "in council and foreknowledge thereof; neither who were "deviſers, inventors, and executors of the ſame, till it was "publicly diſcovered long thereafter by ſome of the aſſaſſins, "who ſuffered death on that account." Good. ii. 308. Theſe words are taken out of a regiſter kept by Roſs and Herries themſelves, and ſeem to be a direct confutation of the biſhop's aſſertion.

The earls of Huntly and Argyll, in their *Proteſtation touching the Murder of the King of Scots*, after mentioning the conference at Craigmillar concerning a divorce, add, "So after "theſe premiſes, the murder of the king following, we judge "in our conſciences, and hold for certain and truth, that "the earl of Murray and ſecretary Lethington were authors, "inventors, counſellors, and cauſers of the ſame murder, "in what manner, or by whatſoever perſons the ſame was "executed." Anderſ. iv. 188. But, 1. This is nothing more than the private opinion or perſonal aſſirmation of theſe two noblemen. 2. The concluſion which they make has no connection with the premiſes on which they found it: Becauſe Murray propoſed to obtain for the queen a divorce from her huſband with her own conſent, it does not follow that therefore he committed the murder without her knowledge. 3. Huntly and Argyll were at that time the leaders of that party oppoſite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's perſonal

enemies.

enemies. Huntly, on account of the treatment which his family and clan had received from that nobleman. Argyll was deſirous of being divorced from his wife, with whom he lived on no good terms, Knox, 328, and by whom he had no children. Crawf. Peer. 191. She was Murray's ſiſter, and by his intereſt he had obſtructed that deſign, Keith, 551. Theſe circumſtances would go far towards invalidating a poſitive teſtimony; they more than counterbalance an indeterminate ſuſpicion. 5. It is altogether uncertain whether Huntly and Argyll ever ſubſcribed this proteſtation. A copy of ſuch a proteſtation as the queen thought would be of advantage to her cauſe, was tranſmitted to them by her. Anderſ. iv. b. iii. 186. The proteſtation itſelf, publiſhed by Anderſon, is taken from an unſubſcribed copy with blanks for the date and place of ſubſcribing. On the back of this copy, there is paſted, indeed, a paper, which Cecil has marked "Anſwer of the earl of Murray to a writing of the "earls of Huntly and Argyll." Anderſ. 194, 195. But it can hardly be deemed a reply to the above-mentioned proteſtation. Murray's anſwer bears date at London, January 19, 1568. The queen's letter, in which ſhe incloſed the copy of the proteſtation, bears date at Bowton, Jan. 5, 1568. Now it is ſcarce to be ſuppoſed that the copy could be ſent into Scotland, be ſubſcribed by the two earls, and be ſeen and anſwered by Murray within ſo ſhort a time. Murray's reply ſeems intended only to prevent the impreſſion which the vague and uncertain accuſations of his enemies might make in his abſence. Cecil had got the original of the queen's letter into his cuſtody. Anderſ. iv. 185. This naturally leads us to conjecture that the letter itſelf, together with the incloſed proteſtation, were intercepted before they came to the hands of Huntly and Argyll. Nor is this mere conjecture alone. The letter to Huntly, in which the proteſtation was incloſed, is to be found, Cott. Lib. Cal. c. 1. fol. 280. and is an original ſubſcribed by Mary, though not written by her own hand, becauſe ſhe ſeldom choſe to write in the Engliſh language. The proteſtation is in the ſame volume, fol. 282. and is manifeſtly written by the ſame perſon who wrote the queen's letter. This ſeems to render it highly probable that both were intercepted. So that much has been founded on a paper not ſubſcribed by the two earls, and probably never ſeen by them. Beſides, this method which the queen took of ſending a copy to the two earls, of what was proper for them to declare with regard to a conference held in their own preſence, appears ſomewhat ſuſpicious. It would have been more natural, and not ſo liable

to

to any miſinterpretation, to have deſired them to write the moſt exact account, which they could recollect, of what had paſſed at the converſation at Craigmillar. 6. But even if all this reaſoning ſhould be ſet aſide, and the authenticity of the *proteſtation* ſhould be admitted in its full extent, it may ſtill be a queſtion, what degree of credit ſhould be given to the aſſertion of the two earls, who were not only preſent in the firſt parliament, held by Murray as regent in December 1567, in which the one carried the ſceptre, and the other the ſword of ſtate, Spotſw. 214. but were both members of the committee of lords of articles, and in that capacity aſſiſted in framing all the acts by which the queen was deprived of the crown, and her ſon ſeated on the throne; and in particular concurred in the act by which it was declared, that whatever had befallen the queen, "was in her awin default, in ſa far as, be divers hir previe letters written halelie with hir awin hand, and ſend by hir to James ſometyme erle of Bothwell, cheif executour of the ſaid horribill murthour, as weill befoir the committing thairof as thairaftir: And be hir ungodlie and diſhonourabill proceeding to ane pretendit marriage with him, ſuddaindlie and unproviſitlie thaireftir, it is maiſt certane that ſche was previe, airt and paint, of the actual deviſe and deid of the foirnamit murthour of the king her lauchful huſband, and thairfoir juſtlie deſirvis quhatſumever hes bene done to hir in ony tyme bygaine, or that ſal be uſit towards hir, for the ſaid cauſe." Anderſ. ii. 221.

THE queen's commiſſioners at the *conferences* in England accuſed Murray and his aſſociates of having murdered the king. Good. ii. 281. But this charge is to be conſidered as a recrimination, extorted by the accuſation preferred againſt the queen, and contains nothing more than looſe and general affirmations, without deſcending to ſuch particular circumſtances as either aſcertain their truth, or diſcover their falſehood. The ſame accuſation is repeated by the nobles aſſembled at Dumbarton, Sept. 1568. Good. ii. 359. And the ſame obſervation may be made concerning it.

ALL the queen's advocates have endeavoured to account for Murray's murdering of the king, by ſuppoſing that it was done on purpoſe that he might have the pretence of diſturbing the queen's adminiſtration, and thereby rendering ineffectual her general revocation of crown lands, which would have deprived him and his aſſociates of the beſt part of their eſtates. Leſly Def. of Mary's Hon. p. 73. Anderſ. iv. part ii. 130. But whoever conſiders the limited powers of a Scottiſh monarch, will ſee that ſuch a revocation could not be very formidable to the nobles. Every king of Scotland began

began his reign with ſuch a revocation; and as often as it was renewed, the power of the nobles rendered it ineffectual. The beſt vindication of Murray and his party from this accuſation, is that which they preſented to the queen of England, and which hath never hitherto been publiſhed.

Anſwers to the Objections and Alledgance of the Queen, alledging the Earl of Murray Lord Regent, the Earl of Merton, Mar, Glencairn, Hume, Ruthven, &c. to have been moved to armour, for that they abhorred and might not abide her Revocation of the Alienation made of her Property. Paper Office.

It is anſwered, that is alledged but [i. e. without] all appearance, and it appears God has bereſt the alledgance of all wit and good remembrance, for thir reaſons following:

Imprimis, as to my lord regent, he never had occaſion to grudge thereat, in reſpect the queen made him privy to the ſame, and took reſolution with him for the execution thereof, letting his lordſhip know ſhe would aſſuredly in the ſamine except all things ſhe had given to him, and ratefy them in the next parliament as ſhe did indeed; and for that cauſe wiſhed my lord to leave behind him maſter John Wood, to attend upon the ſame, to whom ſhe declared, that als well in that as in all other her grants it ſhould be provided, yea of free will did promiſe and offer before ever he demanded, as it came to paſs without any lett or impediment; for all was ratified by her command, and hand write, at the parliament, but [i. e. without] any difficulty.

Item as to my lord of Morton, he could not grudge thereat quha never had of her property worth twenty dollars that ever I knew of.

Item the ſame, may I ſay of my lord Glencairn.

Item the ſame, I may ſay of my lord Hume.

Item the ſame, I may ſay of my lord Ruthven.

Item the ſame, I may ſay of my lord Lindſay.

Only my lord of Marr, had ane little thing of the property quilk alſua was gladly and liberally confirmed to him, in the ſaid parliament preceding a year; was never ane had any cauſe of miſcontent of that revocation, far leſs to have put their lives and heritage to ſo open and manifeſt ane danger as they did for ſic ane frivole cauſe.

Gyf ever any did make evill countenance, and ſhow any miſcontentment of the ſaid revocation, it was my lord of Argyll in ſpeciall, quha ſpak largely in the time of parliament thairanents to the queen herſelf, and did complain of the manifeſt corruption of ane act of parliament paſſ upon her

her majeſty's return, and ſa did let any revocation at that time; but the armour for revenge of the king's deid was not till twa months after, at quhat time there was no occaſion given thereof, nor never a man had mind thereof.

HAVING thus examined the evidence which has been produced againſt the earls of Murray and Bothwell; we ſhall next proceed to inquire whether the queen herſelf was acceſſory to the murder of her huſband.

No ſooner was the violent death of Darnly known, than ſtrong ſuſpicions aroſe, among ſome of her ſubjects, that Mary had given her conſent to the commiſſion of that crime. And. ii. 156. We are informed, by her own ambaſſador in France, the archbiſhop of Glaſgow, that the ſentiments of foreigners, on this head, were no leſs unfavourable to her. Keith, Pref. ix. Many of her nobles loudly accuſed her of that crime, and a great part of the nation, by ſupporting them, ſeem to have allowed the accuſation to be well founded.

SOME crimes, however, are of ſuch a nature, that they hardly admit of a poſitive or direct proof. Deeds of darkneſs can ſeldom be brought perfectly to light. Where perſons are accuſed not of being *principals*, but only of being *acceſſaries* in the commiſſion of a crime; not of having perpetrated it themſelves, but only of giving conſent to the commiſſion of it by others; the proof becomes ſtill more difficult: and unleſs when ſome accomplice betrays the ſecret, a proof by circumſtances, or preſumptive evidence, is all that can be attained. Even in judicial trials, ſuch evidence is ſometimes held to be ſufficient for condemning criminals. The degree of conviction which ſuch evidence carries along with it, is often not inferior to that which ariſes from poſitive teſtimony; and a concurring ſeries of circumſtances ſatisfies the underſtanding no leſs than the expreſs declaration of witneſſes.

EVIDENCE of both theſe kinds has been produced againſt Mary. We ſhall firſt conſider that which is founded upon circumſtances alone.

SOME of theſe ſuſpicious circumſtances preceded the king's death; others were ſubſequent to it. With regard to the former, we may obſerve that the queen's violent love of Darnly was ſoon converted into an averſion to him no leſs violent; and that his own ill conduct and exceſſes of every kind, were ſuch, that if they did not juſtify, at leaſt they account for this ſudden change of her diſpoſition towards him. The riſe and progreſs of this domeſtic rupture, I have traced with great care in the hiſtory, and to the proofs of it

which

which may be found in papers published by other authors, I have added those contained in App. No. XVI. and XVII. Le Croc, the French ambaſſador, who was an eye-witneſs of what he deſcribes, not only repreſents her averſion to Darnly to be extreme, but declares that there could be no hopes of a reconcilement between them. "The queen is in the hands of phyſicians, and I do aſſure you is not at all well; and do believe the principal part of her diſeaſe to conſiſt in deep grief and ſorrow; nor does it ſeem poſſible to make her forget the ſame. Still ſhe repeats theſe words, *I could wiſh to be dead*. You know very well that the injury ſhe has received is exceeding great, and her majeſty will never forget it—To ſpeak my mind freely to you, I do not expect, upon ſeveral accounts, any good underſtanding between them [i. e. the king and queen], unleſs God effectually put to his hand.—His bad deportment is incurable; nor can there ever be any good expected from him, for ſeveral reaſons, which I might tell you was I preſent with you. I cannot pretend to foretell how all may turn, but I will ſay, that matters cannot ſubſiſt long as they are, without being accompanied with ſundry bad conſequences." Keith, Pref. vii. Had Henry died a natural death at this juncture, it muſt have been conſidered as a very fortunate event to the queen, and as a ſeaſonable deliverance from a huſband who had become altogether odious to her. Now as Henry was murdered a few weeks afterwards, and as nothing had happened to render the queen's averſion to him leſs violent, the opinion of thoſe who conſider Mary as the author of an event which was manifeſtly ſo agreeable to her, will appear perhaps to ſome of our readers to be neither unnatural nor over-refined. If we add to this, what has been obſerved in the hiſtory, that in proportion to the increaſe of Mary's hatred of her huſband, Bothwell made progreſs in her favour, and that he became the object not only of her confidence but her attachment, that opinion acquires new ſtrength. It is eaſy to obſerve many advantages which might redound to Mary as well as to Bothwell from the king's death; but excepting them, no perſon, and no party in the kingdom, could derive the leaſt benefit from that event. Bothwell, according to, murdered the king, and it was, in that age, thought no unwarranted imputation on Mary's character, to ſuppoſe that ſhe had conſented to the deed. Dec. 12, 1566. Dec. 23.

THE ſteps which the queen took after her huſband's death add ſtrength to that ſuppoſition. J. Melvil, who was in Edinburgh at the time of the king's death, aſſerts, that

"every body ſuſpected the earl of Bothwell; and thoſe who durſt ſpeak freely to others, ſaid plainly that it was He," p. 155. 2. Mary having iſſued a proclamation, on the 14th of February, offering a reward to any perſon who ſhould diſcover thoſe who had murdered her huſband; And. i. 36; a paper in conſequence of this was affixed to the gates of the Tolbooth, February 16, in which Bothwell was named as the chief perſon guilty of that crime, and the queen herſelf was accuſed of having given her conſent to it. And. ii. 156. 3. Soon after, February 20, the earl of Lennox, the king's father, wrote to Mary, conjuring her, by every motive, to proſecute the murderers with the utmoſt rigour. He plainly declared his own ſuſpicions of Bothwell, and pointed out a method of proceeding againſt him, and for diſcovering the authors of that crime, no leſs obvious than equitable. He adviſed her to ſeize, and to commit to ſure cuſtody, Bothwell himſelf, and ſuch as were already named as his accomplices; to call an aſſembly of the nobles; to iſſue a proclamation, inviting Bothwell's accuſers to appear; and if, on that encouragement, no perſon appeared to accuſe them, to hold them as innocent, and to diſmiſs them without farther trial. And. i. 40. 4. Archbiſhop Beatoun, her ambaſſador in France, in a letter to Mary, March 9th, employs arguments of the utmoſt weight to perſuade her to proſecute the murderers with the greateſt ſeverity. "I can conclude nathing (ſays he) by quhat zour majeſty writes to me zourſelf, that ſen it has pleſit God to conſerve zow to make a rigorous vengeance thereof, that rather than it be not actually taine, it appears to me better in this warld that ze had loſt life and all. I aſk your majeſtie pardon, that I writ ſa far, for I can heir nathing to zour prejudiſe, but I *muſt man* conſtraindly writ the ſamin, that all may come to zour knawledge; for the better remede may be put therto. Heir it is needfull that ze forth ſhaw now rather than ever of before, the greite vertue, magnanimitie, and conſtance that God has grantit zow, be quhais grace, I hope ze ſall overcome this moſt heavy envie and diſpleſir of the committing thereof, and conſerve that reputation in all godlineſs, ze have conquiſt of lang, quhich can appear *na* wayis mair clearlie, than that zou do *ſick* juſtice that the *haill* world may declare *ſuch whole* zour innocence, and give teſtimony forever of their treaſon *without* that has committed (*but* fear of God or man) ſo cruel and *much* ungodly a murther, quhairof there is ſa *meikle* ill ſpoken, that I am conſtrainit to aſk zou mercy, that neither can I or *too* will I make the rehearſal thereof, which is *owre* odious. But alas! madame, all over Europe this day, there is na purpoſe in

head ſa frequent as of zour majeſtie, and of the preſent ſtate of zour realm, quhilk is in the moſt part interpretit ſiniſterly." Keith, Pref. ix. 5. Elizabeth, as appears from Append. Vol. I. No. XIX. urged the ſame thing in ſtrong terms. 6. The circumſtances of the caſe itſelf, no leſs than theſe ſolicitations and remonſtrances, called for the utmoſt vigour in her proceedings. Her huſband had been murdered in a cruel manner, almoſt in her own preſence. Her ſubjects were filled with the utmoſt horror at that crime. Bothwell, one of her principal favourites, had been publicly accuſed as the author of it. Reflections, extremely diſhonourable to herſelf, had been thrown out. If indignation, and the love of juſtice, did not prompt her to purſue the murderers with ardour, decency, at leaſt, and concern for vindicating her own character, ſhould have induced her to avoid any appearance of remiſſneſs or want of zeal.

But inſtead of this, Mary continued to diſcover, in all her actions, the utmoſt partiality towards Bothwell. On the 15th of February, five days after the murder, ſhe beſtowed on him the reverſion of the ſuperiority of the town of Leith, which, in the year 1565, ſhe had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great aſcendant over the citizens of Edinburgh, who wiſhed much to keep poſſeſſion of it [a]. 2. Bothwell

[a] *Copy from the original in the charter-houſe of the city of Edinburgh of an Aſſignation to the reverſion of the ſuperiority of Leith by queen Mary, to the earl of Bothwell.*

Maria Dei gratia Regina Scotorum, omnibus probis hominibus ſuis ad quos præſentes literæ pervenerint ſalutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele ſervitium, non tantum quondam noſtræ chariſſimæ matri Mariæ Reginæ regi noſtri pro tempore in noſtra minoritate factum et impenſum, verum etiam nobiſmet ipſis, tam intra partes Galliæ quam intra hoc noſtrum regnum, ad extentionem noſtri honoris et auctoritatis in punitione ſuorum, malefactorum, et tranſgreſſorum intra idem, per noſtrum conſiſum conſanguineum et conſiliarium Jacobum comitem Bothuile, dominum Halis, Creighton, et Liddiſdale, magnum admiſallum regni noſtri, commiſſionem et onerationem ad hunc effectum habentem, per quas ipſe ſuum corpus et vitam in magno periculo poſuit; ac etiam, in perfornatione et extentione noſtri dicti ſervitii, ſuam hereditatem, ſupra ſummam viginti millium mercarum hujus noſtri regni, alienavit ac læſit. Et nos cogitantes quod, ex noſtra principali honore et devoris dictum noſtrum conſiſum conſanguineum & conſiliarium eum quodam accidente et gratitudine recompenſare et gratificare incumbit quæ nos commode ſibi contelere poterimus, unde ipſe magis habilis omnibus affuturis temporibus eſſe poterit, et ad hujuſmodi performandum in omnibus cauſis ſeu eventibus: In recompenſationem quorum præmiſſorum, ac pro diverſis aliis noſtris rationabilibus cauſis et conſiderationibus nos movenſibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac ſuos hæredes maſculos quoſcunque noſtros legitimos, &c. aſſignatos in et ad literas reverſionis factas, &c. per Symonem Preſton de eodem militem, præpoſitum, balivos, conſules, et communitatem hujus noſtri

well being extremely deſirous to obtain the command of the caſtle of Edinburgh, the queen, in order to prevail on the earl of Mar to ſurrender the government of it, offered to commit the young prince to his cuſtody. Mar conſented; and ſhe inſtantly appointed Bothwell governor of the caſtle. And. i. Pref. 64. Keith, 379. note (d). 3. The inquiry into the murder, previous to Bothwell's trial, ſeems to have been conducted with the utmoſt remiſſneſs. Buchanan exclaims loudly againſt this. And. ii. 24. Nor was it without reaſon that he did ſo, as is evident from a circumſtance in the affidavit of Thomas Nelſon, one of the king's ſervants, who was in the houſe when his maſter was murdered, and was dug up alive out of the rubbiſh. Being examined on the Monday after the king's death, "This deponar ſchew that Bonkle had the key of the cellare, and the queenis ſervandis the keys of her ſhalmir. Quhilk the laird of Tillibardin hearing, ſaid, Hald thair, here is ane ground. Efter quhilk words ſpokin, thai left of, and procedit na farther in the inquiſition." And. iv. p. 2. 167. Had there been any intention to ſearch into the bottom of the matter, a circumſtance of ſo much importance merited the moſt careful inquiry. 4. Notwithſtanding Lennox's repeated ſolicitations, notwithſtanding the reaſonableneſs of his demands, and the neceſſity of complying with them, in order to encourage any accuſer to appear againſt Bothwell, ſhe not only refuſed to commit him to cuſtody, or even to remove him from her preſence and councils; And. i. 42. 48. but by the grants which we have mentioned, and by other circumſtances, diſcovered an increaſe of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but ſhe permitted him to ſit as a member in that meeting of the privy council which directed his own trial; and the trial itſelf was carried on with ſuch unneceſſary precipitancy, and with ſo many other ſuſpicious circumſtances, as render his acquittal rather an argument of his guilt than a proof of his innocence. Theſe circumſtances

burgi de Edinburgh, pro ſeipſis ac ſuis ſucceſſoribus, &c. nobis, noſtriſque heredibus, ſucceſſoribus, et aſſignatis pro redemptione, &c. ſuperioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præpoſito, &c. ſub reverſione alienatæ continentis ſummam decem millium mercarum monetæ præſcriptæ numerandum et calculandum in parochiali eccleſia de Edinburgh, ſuper premonitione quadraginta dierum, ut moris eſt, veluti in dictis reverſionis literis, &c. de data 8vo Octob. 1565, &c. (The reſt is form, and contains a cloſe of abſolute warrandice.) IN CUJUS REI TESTIMONIUM præſentibus magnum ſigillum noſtrum apponi fecimus. Apud Edinburgh decimo quinto die menſis Februarii, anno Domini miſleſimo quingenteſimo ſexageſimo ſexto, et regni noſtri viceſimo quinto.

The great ſeal entire.

have all been mentioned at length in Book IV. and therefore are not repeated in this place. 6. Two days after the trial, Mary gave a public proof of her regard for Bothwell, by appointing him to carry the ſceptre before her at the meeting of parliament. Keith, 378. 7. In that parliament, ſhe granted him a ratification of all the vaſt poſſeſſions and honours which ſhe had conferred upon him, in which was contained an ample enumeration of all the ſervices he had performed. And. i. 117. 8. Though Melvil, who foreſaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, ſhe not only diſregarded this ſalutary admonition, but diſcovered what had paſſed between them to Bothwell, which expoſed Melvil to his reſentment. Melv. 156. 9. Bothwell ſeized Mary as ſhe returned from Stirling, April 24. If he had done this without her knowledge and conſent, ſuch an inſult could not have failed to have filled her with the moſt violent indignation. But according to the account of an old MS. "The friendly love was ſo highly contracted between this great princeſs and her enormous ſubject, that there was no end thereof (for it was conſtantly eſteemed by all men, that either of them loved other carnally), ſo that ſhe ſuffered patiently to be led where the lover liſt, and all the way neither made obſtacle, impediment, clamour, or reſiſtance, as in ſuch accidents uſe to be, or that ſhe might have done by her princely authority, being accompanied with the noble earl of Huntly and ſecretary Maitland of Lethington." Keith, 383. Melvil, who was preſent, confirms this account, and tells us that the officer, by whom he was ſeized, informed him that nothing was done without the queen's conſent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that ſhe was then at full liberty, and that though Bothwell had offended her by ſeizing her perſon, ſhe was ſo much ſatisfied with his dutiful behaviour ſince that time, and ſo indebted to him for paſt ſervices, that ſhe not only forgave that offence, but reſolved to promote him to higher honours. And. i. 87. 11. Even after the confederate nobles had driven Bothwell from the queen's preſence, and though ſhe ſaw that he was conſidered as the murderer of her former huſband by ſo great a part of her ſubjects, her affection did not in the leaſt abate, and ſhe continued to expreſs the moſt unalterable attachment to him. "I can perceive (ſays Sir N. Throkmorton) that the rigour with which the queen is kept, proceedeth by order from theſe men, becauſe that the queen will not by any means be

induced to lend her authority to proſecute the murderer; nor will not conſent by any perſuaſion to abandon the lord Bothwell for her huſband, but avoweth conſtantly that ſhe will live and die with him; and ſaith, that if it were put to her choice to relinquiſh her crown and kingdom, or the lord Bothwell, ſhe would leave her kingdom and dignity to go a ſimple damſel with him, and that ſhe will never conſent that he ſhall fare worſe, or have more harm than herſelf." Append. to Vol. I. No. XXII. In all their negotiations with Throkmorton, the confederates mention this unalterable attachment of the queen to Bothwell, as a ſufficient reaſon for rejecting his propoſals of an accommodation with their ſovereign. Keith, 419. 449. This aſſertion they renewed in the conferences at York. Anderſ. iv. part ii. p. 66. Murray, in his interview with Mary in Lochlevin, charged her with perſiſting in her inordinate affection to Bothwell. Keith, 446. All theſe, however, may be conſidered merely as accuſations brought by the confederates, in order to vindicate their rigour towards the queen. But Throkmorton, who, by his reſidence in Edinburgh, and by his intercourſe with the queen's partizans, as well as with her enemies, had many opportunities of diſcovering whether or not Mary had expreſſed herſelf in ſuch terms, and who was diſpoſed to view her actions in the moſt favourable light, appears, by the paſſage which I have quoted from his letter of the 14th of July, to be perſuaded that the confederates had not miſrepreſented her ſentiments. He had ſoon an opportunity of being confirmed with greater certainty in this opinion. Although the confederates had refuſed him acceſs to the captive queen, he found means of holding a ſecret correſpondence with her, and endeavoured to perſuade her to give her conſent to have her marriage with Bothwell diſſolved by a ſentence of divorce, as the moſt probable means of regaining her liberty. "She hath ſent me word that ſhe will in no wiſe conſent unto that, but rather die." Append. to Vol. I. No. XXII. There is evidence of the continuance of Mary's attachment ſtill more explicit. Lord Herries, in the Parliament held the 15th of December 1567, acknowledged the queen's inordinate affection to that wicked man, and that ſhe could not be induced by perſuaſion to leave him; and that in ſequeſtering her within Lochlevin, the confederates had done the duty of noblemen. App. to Vol. I. No. XXIV. In the year 1571, a conference was held by ſome deputies from a convention of Clergy, with the duke of Chatelherault, ſecretary Maitland, ſir James Balfour, and Kirkaldy; and an account of it written by Mr. Craig,

one

one of the miniſters of Edinburgh, is extant in Calderwood MSS. Hiſt. ii. 244. In preſence of all theſe perſons, moſt of whom were in Edinburgh when the queen was taken at Carberry, Maitland, who was now an avowed partizan of Mary, declares, that on the ſame night ſhe was brought to Edinburgh, he himſelf had offered, that if ſhe would abandon Bothwell, ſhe ſhould have as thankful obedience as ever ſhe had ſince ſhe came to Scotland. But no wife would ſhe conſent to leave Bothwell. According to ſir James Melvil, the queen found means of writing a letter to Bothwell on the evening of that day, when ſhe was conducted as a priſoner to Edinburgh, in which ſhe declared her affection to him in the moſt tender expreſſions, and her reſolution never to abandon him. This letter, he ſays, was intercepted by the confederates, and determined them to confine Mary in the caſtle of Lochlevin. But as neither Buchanan nor Knox, both abundantly diſpoſed to avail themſelves of every fact and report that could be employed in order to repreſent Mary's conduct as improper and criminal, mention this letter; and as the confederates themſelves, in their negotiations with Throkmorton, as well as in their accuſations of the queen before the Engliſh commiſſioners at York and Weſtminſter, maintain the ſame ſilence with regard to it, I am ſatisfied that Melvil, who wrote his memoirs for the information of his ſon in his old age, and long after the events which he records happened, has been miſtaken with regard to this particular. From this long enumeration of circumſtances, we may, without violence, draw the following concluſion: Had Mary really been acceſſary to the murder of her huſband; had Bothwell perpetrated the crime with her conſent, or at her command; and had ſhe intended to ſtifle the evidence againſt him, and to prevent the diſcovery of his guilt, ſhe could ſcarcely have taken any other ſteps than thoſe which ſhe took, nor could her conduct have been more repugnant to all the maxims of prudence and of decency.

The poſitive evidence produced againſt Mary may be claſſed under two heads.

1. The depoſitions of ſome perſons who were employed in committing the murder, particularly of Nicholas Hubert, who, in the writings of that age, is called *French Paris*. This perſon, who was Bothwell's ſervant, and much truſted by him, was twice examined, and the original of one of his depoſitions, and a copy of the other, are ſtill extant. It is pretended that both theſe are notorious forgeries. But they are remarkable for a ſimplicity and *naiveté* which it is almoſt

impoſſible to imitate; they abound with a number of minute facts and particularities, which the moſt dexterous forger could not have eaſily aſſembled and connected together with any appearance of probability; and they are filled with circumſtances, which can ſcarcely be ſuppoſed to have entered the imagination of any man but one of Paris's rank and character. But, at the ſame time, it muſt be acknowledged, that his depoſitions contain ſome improbable circumſtances. He ſeems to have been a fooliſh talkative fellow; the fear of death, the violence of torture, and the deſire of pleaſing thoſe in whoſe power he was, tempted him, perhaps, to feign ſome circumſtances, and to exaggerate others. To ſay that ſome circumſtances in an affidavit are improbable or falſe, is very different from ſaying that the whole is forged. I ſuſpect the former to be the caſe here; but I ſee no appearance of the latter. Be that as it will, ſome of the moſt material facts in Paris's affidavits reſt upon his ſingle teſtimony; and for that reaſon, I have not in the Hiſtory, nor ſhall I in this place, lay any ſtreſs upon them.

2. The letters ſaid to be written by Mary to Bothwell. Theſe have been frequently publiſhed. The accident by which the queen's enemies got them into their poſſeſſion, is related in Book V. When the authenticity of any ancient paper is dubious or conteſted, it may be aſcertained either by external or internal evidence. Both theſe have been produced in the preſent caſe.

I. External proofs of the genuineneſs of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honour, that the letters were written with the queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were ſo far conſidered as genuine, that they are mentioned in the act againſt Mary, as one chief argument of her guilt. Good. ii. 66, 67. 3. They were ſhewn privately to the duke of Norfolk, the earl of Suſſex, and ſir Ralph Sadler, Elizabeth's commiſſioners at York. In the account which they gave of this matter to their miſtreſs, they ſeem to conſider the letters as genuine, and expreſs no ſuſpicion of any forgery; they particularly obſerve, "that the matter contained in them is ſuch, that it could hardly be invented and deviſed by any other than herſelf; for that they diſcourſe of ſome things, which were unknown to any other than to herſelf and Bothwell; and as it is hard to counterfeit ſo many, ſo the matter of them, and the manner how theſe men came by them, is ſuch, as it ſeemeth that God, in

whoſe

whoſe ſight murder and bloodſhed of the innocent is abominable, would not permit the ſame to be hid or concealed." Good. iii. 142. They ſeem to have made ſuch an impreſſion on the duke of Norfolk, that in a ſubſequent letter to Pembroke, Leiceſter, and Cecil, he has theſe words: "If the matter ſhall be thought as deteſtible and manifeſt to you, as for ought we can perceive it ſeemeth here to us." Good. ii. 154. Nor did Norfolk declare theſe to be his ſentiments only in public official letters, he expreſſed himſelf in the ſame manner to his moſt confidential friends. In a ſecret conference with the biſhop of Roſs at York, the duke informed him, that he had ſeen the letters, &c. which the regent had to produce againſt the queen, whereby there would be ſuch matter proved againſt her, as would diſhonour her for ever. State Trials, Edition of Hargrave, i. 91. Murdin, 52. The biſhop of Roſs, if he had known the letters to be a notorious forgery, muſt have been naturally led, in conſequence of this declaration, to undeceive the duke, and to expoſe the impoſture. But, inſtead of this, the duke, and he, and Lethington, after conſulting together, agreed, that the biſhop ſhould write to Mary, then at Bolton, and inſtruct her to make ſuch a propoſal to Elizabeth as might prevent the public production of the letters and other evidence. State Trials, i. 94. Murdin, 45. Indeed the whole of this ſecret conference ſeems to imply, that Lethington, Roſs, and Norfolk, were conſcious of ſome defect in Mary's cauſe, and therefore exerted all their ingenuity in order to avoid a public accuſation. Murdin, 52, 53. To Baniſter, whom the duke ſeems to have truſted more entirely than any other of his ſervants, he expreſſed himſelf in ſimilar terms with reſpect to the queen of Scots. State Trials, i. 98. The words of Baniſter's evidence are remarkable: "I confeſs that I, waiting of my lord and maſter, when the earl of Suſſex and Mr. Chancellor of the dutchy that now is, were in commiſſion at York, did hear his grace ſay, that upon examination of the matter of the murder, it did appear that the queen of Scots was guilty and privy to the murder of lord Darnly, whereby I verily thought that his grace would never join in marriage with her." Murdin, 134. Elizabeth, in her inſtructions to the earl of Shrewſbury and Beale in 1583, aſſerts, that both the duke and earl of Arundel did declare to herſelf, that the proof, by the view of her letters, did fall out ſufficient againſt the queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314. from Cot. Lib. Calig. 9. 4. A

ſimilar

ſimilar impreſſion was made upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correſpondence with ſir Henry Norris, the Engliſh ambaſſador in France, relates this tranſaction in terms which leave no room to doubt with reſpect to his own private opinion. In his letter, Decem. 14th, 1568, the very day on which the letters, &c. were laid before the meeting of privy counſellors and peers, he informs him, "That the regent was driven, for his defence, to diſcloſe a full fardel of the naughty matter, tending to convince the queen as deviſer of the murther, and the earl of Bothwell as her executour; and now the queen's party, ſo great, refuſe to make any anſwer, and preſs that their miſtreſs may come in perſon to anſwer the matter herſelf, before the queen's majeſty, which is thought not fit to be grauted until the great blot of the marriage with her huſband's murtherer, and the evident charges, by letters of her own, to be deviſer of the murther, be ſomewhat razed out or recovered; for that as the matters are exhibited againſt her, it is far unſeemly for any prince, or for chaſte ears, to be annoyed with the filthy noiſe thereof; and yet, as being a commiſſioner, I muſt and will forbear to pronounce any thing herein certainly, though as a private perſon I cannot but with horror and trembling think thereof." Cabala, 156. 5. From the correſpondence of Bowes, the Engliſh reſident in Scotland, with Walſingham in the year 1582, publiſhed towards the cloſe of this diſſertation, it is manifeſt that both in England and Scotland, both by Elizabeth and James, both by the duke of Lennox and earl of Gowrie, the letters were deemed to be genuine. The eagerneſs, on one ſide to obtain, and on the other to keep, poſſeſſion of the caſket and letters, implies that this was the belief of both. Theſe ſentiments, of contemporaries, who were in a ſituation to be thoroughly informed, and who had abilities to judge with diſcernment, will, in the opinion of many of my readers, far outweigh theories, ſuppoſitions, and conjectures, formed at the diſtance of two centuries. 6. The letters were ſubjected to a ſolemn and judicial examination with reſpect to their authenticity, as far as that could be aſcertained by reſemblance of character and faſhion of writing: for after the conferences at York and Weſtminſter were finiſhed, Elizabeth, as I have related, aſſembled her privy counſellors, and, joining to them ſeveral of the moſt eminent noblemen in her kingdom, laid before them all the proceedings againſt the Scottiſh queen, and particularly ordered, that "the letters and writings exhibited

by

by the regent, as the queen of Scots' letters and writings, ſhould alſo be ſhewed, and conference [i. e. compariſon] thereof made in their ſight, with the letters of the ſaid queen's, being extant, and heretofore written with her own hand, and ſent to the queen's majeſty; whereby may be ſearched and examined what difference is betwixt them." Good. ii. 252. They aſſembled accordingly, at Hampton Court, December 14 and 15, 1568; and, "The originals of the letters ſuppoſed to be written with the queen of Scots' own hand, were then alſo preſently produced and peruſed; and, being read, were duly conferred and compared, for the manner of writing, and faſhion of orthography, with ſundry other letters long ſince heretofore written, and ſent by the ſaid queen of Scots to the queen's majeſty. In collation whereof no difference was found." Good. ii. 256.

7. Mary having written an apologetical letter for her conduct to the counteſs of Lennox, July 10, 1570[b], ſhe tranſmitted it to her huſband then in Scotland; and he returned to the counteſs the following anſwer: "Seeing you have remittit to me, to anſwer the queen the king's mother's letters ſent to you, what can I ſay but that I do not marvell to ſee hir writ the beſt can for hirſelf, to ſeame to purge her of that, quhairof many beſyde me are certainly perſuadit of the contrary, and I not only aſſurit by my awin knawledge, but by her hand writ, the confeſſionis of men gone to the death,

[b] Mary's letter has never been publiſhed, and ought to have a place here, where evidence on all ſides is fairly produced. "Madam, if the wrang and falſe reportit of rebellis, enemies weill knawin for traitouris to zow, and alace to mvche trvſted of me by zovre advice, had not ſo far ſtvrred you againis my innocency (and I mvſt ſay againis all kyndneſs, that zou have not onelie as it were condempnit me wrangfullie, but ſo hated me, as ſome wordis and opene deideis hes teſtifeit to all the warlde, a manyfeſt miſlirking in zow againis zovr awn blude), I wold not have omittit thus lang my dewtie in wryting to zow excuſing me of thoſe untrew reportis made of me. But hoping with Godis grace and tyme to have my innocency knawin to zow, as I truſt it is already to the maiſt pairt of all indifferent perſonis, I thocht it beſt not to trouble zou for a tyme till that ſuch a matter is moved that tuichis us baith, quhilk is the tranſporting zovre littil ſon, and my onelie child in this countrey. To the quhilk albeit I be never ſa willing, I wald be glaid to have zovre advyſe therein, as in all other thingis tuiching him. I have born him, and God knowis with quhat danger to him and me baith; and of zow he is deſcendit. So I meane not to forget my dewtie to zow, in ſchewin herein any unkyndneſs to zow, how unkyndlie that ever ze have delt with me, bot will love zow as my awnt, and reſpect zow as my moder in law. And gif ze pleis to knaw farther of my mynd in that and all uther thingis betwixt us, my ambaſſador the biſhop of Roſs ſall be ready to conferr with zou. And ſo after my hairtlie commendationis, remitting me to my ſaide ambaſſador, and zovr better conſideratioun, I commit zou to the protection of Almighty God, quhom I pray to preſerve zou and my brother Charles, and eaue zou to knaw my pairt better nor ze do. From Chaiſtworth this x of July 1570.

To my Ladie Lenox my moder in law. Your natural gude Nice and lovinge dochter."

and

and uther infallibil experience. It wull be lange tyme that is hable to put a mattir ſo notorious in oblivioun, to mak black quhyte, or innocency to appear quhair the contrary is ſa weill knawin. The maiſt indifferent, I truſt, doubtis not of the equite of zour and my cauſe, and of the juſt occaſioun of our myſliking. Hir richt dewtie to zow and me, being the parteis intereſt, were hir trew confeſſioun and unfeyned repentance of that lamentable fact, odious for hir to be reportit, and ſorrowfull for us to think of. God is juſt, and will not in the end be abuſed; but as he has manifeſted the trewth, ſo will he puneiſe the iniquity." *Lennox's Orig. Regiſt. of Letters.* In their public papers, the queen's enemies may be ſuſpected of advancing what would be moſt ſubſervient to their cauſe, not what was agreeable to truth, or what flowed from their own inward conviction. But in a private letter to his own wife, Lennox had no occaſion to diſſemble; and it is plain, that he not only thought the queen guilty, but believed the authenticity of her letters to Bothwell. 8. In oppoſition to all theſe reaſons for believing the letters, &c. to be authentic, the conduct of the nobles confederated againſt Mary, in not producing them directly as evidence againſt her, has been repreſented as an irrefragable proof of their being forged. According to the account of the confederates themſelves, the caſket containing the letters was ſeized by them on the twentieth of June one thouſand five hundred and ſixty-ſeven; but the firſt time that they were judicially ſtated as evidence againſt the queen was in a meeting of the regent's privy council, December fourth, and they afterwards ſerved as the foundation of the acts made againſt her in the parliament held on the fifteenth of the ſame month. If the letters had been genuine, it is contended, that the obtaining poſſeſſion of them muſt have afforded ſuch matter of triumph to the confederates, that they would inſtantly have proclaimed it to the whole world; and in their negociations with the Engliſh and French miniſters, or with ſuch of their fellow-ſubjects as condemned their proceedings, they would have ſilenced, at once, every advocate for the queen, by exhibiting this convincing proof of her guilt. But in this reaſoning ſufficient attention is not paid to the delicate and perilous ſituation of the confederates at that juncture. They had taken arms againſt their ſovereign, had ſeized her perſon at Carberry-hill, and had confined her a priſoner at Lochlevin. A conſiderable number, however, of their fellow-ſubjects, headed by ſome of the moſt powerful noblemen in the kingdom, was combined againſt them. This combination, they ſoon

perceived,

perceived, they could not hope to break or to vanquish without aid either from France or England. In the former kingdom, Mary's uncles, the duke of Guiſe and cardinal of Lorrain, were, at that period, all powerful, and the king himſelf was devotedly attached to her. If the confederates confined their views to the diſſolution of the marriage of the queen with Bothwell, and to the excluſion of him for ever from her preſence, they might hope, perhaps, to be countenanced by Charles IX. and his miniſters, who had ſent an envoy into Scotland of purpoſe to diſſuade Mary from that ill-fated match; Append. No. XXII.; whereas the loading her publicly with the imputation of being acceſſary to the murder of her huſband, would be deemed ſuch an inexpiable crime by the court of France, as muſt cut off every hope of countenance or aid from that quarter. From England, with which the principal confederates had been long and intimately connected, they had many reaſons to expect more effectual ſupport; but, to their aſtoniſhment, Elizabeth condemned their proceedings with aſperity, warmly eſpouſed the cauſe of the captive queen, and was extremely ſolicitous to obtain her releaſe and reſtoration. Nor was this the only one of the artifices which Elizabeth often employed in her tranſactions with Scotland. Though her moſt ſagacious miniſters conſidered it as the wiſeſt policy to ſupport the confederate lords rather than the queen of Scots, Elizabeth diſregarded their counſel[c]. Her high notions of royal authority, and of the ſubmiſſion due by ſubjects, induced her, on this occaſion, to exert herſelf in behalf of Mary, not only with ſincerity but with zeal; ſhe negotiated, ſhe ſolicited, ſhe threatened. Finding the confederates inflexible, ſhe endeavoured to procure Mary's releaſe by means of that party in Scotland which continued faithful to her, and inſtructed Throkmorton to correſpond with the leaders of it, and to make overtures to that effect. Keith, 451. App. No. XXIII. She even went ſo far as to direct her ambaſſador at Paris to concert meaſures with the French king how they, by their joint efforts, might perſuade or com-

[c] This was the opinion of Throkmorton, as appears from an extract of his letter of July 11th, publiſhed in the Append. No. XXII. The ſame were the ſentiments of Cecil, in his letter of Aug. 29th, 1567, to Sir Henry Norris, Elizabeth's ambaſſador to France. "You ſhall perceive," ſays he, "by the queen's letter to you, at this preſent, how earneſtly ſhe is bent in favour of the queen of Scots, and truly ſince the beginning ſhe both was greatly offended with the lords; and, howſoever her majeſty might make her profit by bearing with the lords in this action, yet no counſel can ſtay her majeſty from manifeſting her miſliking of them." Cabala, 140. And in his letter of Sept. 30, "The queen's majeſty, our ſovereign, remaineth ſtill offended with the lords for the queen; the example moveth her." Ib. 141. Digges Compl. Amb. 14.

pel

pel the Scots to "acknowledge the queen her good ſiſter to be their ſovereign lady, and queen, and renounce their obedience to her ſon." Keith, 462, 3, 4. From all theſe circumſtances, the confederates had every reaſon to apprehend that Mary would ſoon obtain liberty, and by ſome accommodation be reſtored to the whole, or at leaſt to a conſiderable portion of her authority as ſovereign. In that event they foreſaw, that if they ſhould venture to accuſe her publicly of a crime ſo atrocious as the murder of her huſband, they muſt not only be excluded for ever from power and favour, but from any hope of perſonal ſafety. On this account they long confined themſelves to that which was originally declared to be the reaſon of their taking arms; the avenging the king's death, the diſſolving the marriage with Bothwell, the inflicting on him condign puniſhment, or baniſhing him for ever from the queen's preſence. It appears from the letters of Throkmorton, publiſhed by biſhop Keith, and in my Appendix, that his ſagacity early diſcovered that this would be the tenor of their conduct. In his letter from Edinburgh, dated July 14th, he obſerves, that "they do not forget their own peril conjoined with the danger of the prince, but, as far as I perceive, they intend not to touch the queen either in ſurety or in honour; for they ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that, the condition aforeſaid accompliſhed [i. e. the ſeparation from Bothwell], they will both put her to liberty, and reſtore her to her eſtate." Append. No. XXII. His letter of Auguſt 22d, contains a declaration made to him by Lethington, in name and in preſence of his aſſociates, "that they never meant harm neither to the queen's perſon nor to her honour—that they have been contented hitherto to be condemned, as it were, of all princes, ſtrangers, and, namely, of the queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, ſeditious, ingrate, and cruel, all which they ſuffer and bear upon their backs, becauſe they will not juſtify themſelves, nor proceed in any thing that may touch their ſovereign's honour. But in caſe they be with theſe defamations continually oppreſſed, or with the force, aid, and practices of other princes, and namely of the queen of England, put in danger, or to an extremity, they ſhall be compelled to deal otherwiſe with the queen than they intend, or than they deſire; for, added he, you may be ſure we will not loſe our lives, have our lands forfeited, and be reputed rebels through the world, ſeeing we have the means to juſtify ourſelves." Keith, 448. From this view of the ſlippery ground on which they ſtood at that time,

time, their conduct in not producing the letters for ſeveral months, appears not only to have been prudent, but eſſential to their own ſafety.

But, at a ſubſequent period, when the confederates found it neceſſary to have the form of government, which they had eſtabliſhed, confirmed by authority of parliament, a different mode of proceeding became requiſite. All that had hitherto been done with reſpect to the queen's diſmiſſion, the ſeating the young king upon the throne, and the appointment of a regent, was in reality nothing more than the deed of private men. It required ſome exhibition of ſome legal evidence to procure a conſtitutional act giving the ſanction of its approbation to ſuch violent meaſures, and to obtain "a perfect law and ſecurity for all them that either by deed, counſel, or ſubſcription, had entered into that cauſe ſince the beginning." Haynes, 453. This prevailed with the regent and his ſecret counſel, after long deliberation, to agree to produce all the evidence of which they were poſſeſſed; and upon that production parliament paſſed the acts which were required. Such a change had happened in the ſtate of the kingdom as induced the confederates to venture upon this change in their conduct. In June, a powerful combination was forming againſt them, under the leading of the Hamiltons. In December, that combination was broken; moſt of the members of it had acknowledged the king as their lawful ſovereign, and had ſubmitted to the regent's government. Huntly, Argyll, Herries, the moſt powerful noblemen of that party, were preſent in the parliament, and concurred in all its acts. Edinburgh, Dunbar, Dunbarton, and all the chief ſtrong holds in the kingdom, were now in the hands of the regent; the arms of France had full occupation in its civil war with the Hugonots. The ardour of Elizabeth's zeal in behalf of the captive queen ſeems to have abated. A ſtep that would have been followed with ruin to the confederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the circumſtance of their not having been produced immediately after the twentieth of June; but though no public accuſation was brought inſtantly againſt the queen, in conſequence of ſeizing the caſket, hints were given by the confederates, that they poſſeſſed evidence ſufficient to convict her. This is plainly implied in a letter of Throkmorton, July 21ſt, Keith, Pref. p. xii. and more clearly in the paſſage which I have quoted from his letter of Auguſt 22. In his letter of July 25, the papers contained in the caſket are ſtill more plainly pointed out. "They

[i. e.

[i. e. the confederates] ſay, that they have as apparent proof againſt her as may be, as well by the teſtimony of her own hand-writing, which they have recovered, as alſo by ſufficient witneſſes." Keith, 426.

II. WITH regard to the internal proofs of the genuineneſs of the queen's letter to Bothwell, we may obſerve, 1. That whenever a paper is forged with a particular intention, the eagerneſs of the forger to eſtabliſh the point in view, his ſolicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, always prompt him to uſe expreſſions the moſt explicit and full to his purpoſe. The paſſages foiſted into ancient authors by heretics in different ages; the legendary miracles of the Romiſh ſaints; the ſuppoſititious deeds in their own favour produced by monaſteries; the falſe charters of homage mentioned, Vol. I. p. 10. are ſo many proofs of this aſſertion. No maxim ſeems to be more certain than this, that a forger is often apt to prove too much, but ſeldom falls into the error of proving too little. The point which the queen's enemies had to eſtabliſh was, "that as the earl of Bothwell was chief executor of the horrible and unworthy murder perpetrated, &c. ſo was ſhe of the foreknowledge, counſel, deviſe, perſuader, and commander of the ſaid murder to be done." Good. ii. 207. But of this there are only imperfect hints, obſcure intimations, and dark expreſſions in the letters, which, however convincing evidence they might furniſh if found in real letters, bear no reſemblance to that glare and ſuperfluity of evidence which forgeries commonly contain. All the advocates for Mary's innocence in her own age, contend that there is nothing in the letters which can ſerve as a proof of her guilt. Leſly, Blackwood, Turner, &c. abound with paſſages to this purpoſe; nor are the ſentiments of thoſe in the preſent age different. "Yet ſtill it might have been expected (ſays her lateſt defender) that ſome one or other of the points or articles of the accuſation ſhould be made out clearly by the proof. But nothing of that is to be ſeen in the preſent caſe. There is nothing in the letters that could plainly ſhew the writer to have been in the foreknowledge, counſel, or device of any murder, far leſs to have perſuaded or commanded it; and as little is there about maintaining or juſtifying any murderers." Good. i. 76. How ill adviſed were Mary's adverſaries, to contract ſo much guilt, and to practiſe ſo many artifices, in order to forge letters, which are ſo ill contrived for eſtabliſhing the concluſion they had in view! Had they been ſo baſe as to have recourſe to forgery, is it not natural to think that they would have produced ſomething more explicit

plicit and deciſive? It is almoſt impoſſible to invent a long narration of fictitious events, conſiſting of various minute particulars, and to connect theſe in ſuch a manner with real facts, that no mark of fraud ſhall appear. For this reaſon, ſkilful forgers avoid any long detail of circumſtances, eſpecially of foreign and ſuperfluous ones, well knowing that the more theſe are multiplied, the more are the chances of detection increaſed. Now Mary's letters, eſpecially the firſt, are filled with a multiplicity of circumſtances, extremely natural in a real correſpondence, but altogether foreign to the purpoſe of the queen's enemies, and which it would have been extreme folly to have inſerted, if they had been altogether imaginary, and without foundation. 3. The truth and reality of ſeveral circumſtances in the letters, and theſe, too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. 1. Good. ii. p. 1. The queen is ſaid to have met one of Lennox's gentlemen, and to have had ſome converſation with him. Thomas Crawford, who was the perſon, appeared before Elizabeth's commiſſioners, and confirmed, upon oath, the truth of this circumſtance. He likewiſe declared, that during the queen's ſtay at Glaſgow, the king repeated to him, every night, whatever had paſſed through the day, between her majeſty and him; and that the account given of theſe converſations in the firſt letter, is nearly the ſame with what the king communicated to him. Good. ii. 245. According to the ſame letter there was much diſcourſe between the king and queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8. 10, 11. What this might be, was altogether unknown, until a letter of Mary's, preſerved in the Scottiſh college at Paris, and publiſhed, Keith, Pref. vii. diſcovered it to be an affair of ſo much importance as merited all the attention ſhe paid to it at that time. It appears by a letter from the French ambaſſador, that Mary was ſubject to a violent pain in her ſide. Keith, ibid. This circumſtance is mentioned, Lett. 1. p. 30. in a manner ſo natural as can ſcarcely belong to any but a genuine production. If we ſhall ſtill think it probable to ſuppoſe that ſo many real circumſtances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will hardly be poſſible to hold the ſame opinion concerning the following particular. Before the queen began her firſt letter to Bothwell, ſhe, as uſual among thoſe who write long letters containing a variety of ſubjects, made *notes* or *memorandums* of the particulars ſhe wiſhed to remember; but as ſhe ſat up writing during a great part of the night, and after her attendants were aſleep, her

paper failed her, and ſhe continued her letter upon the ſame ſheet on which ſhe had formerly made her memorandums. This ſhe herſelf takes notice of, and makes an apology for it: "It is late; I deſire never to ceaſe from writing unto you, yet now, after the kiſſing of your hands, I will end my letter. Excuſe my evil writing, and read it twice over. Excuſe that thing that is ſcriblit, for I had na paper zeſterday, quhen I wraite that of the memorial." Good. ii. 28. Theſe memorandums ſtill appear in the middle of the letter; and what we have ſaid ſeems naturally to account for the manner how they might find their way into a real letter. It is ſcarce to be ſuppoſed, however, that any forger would think of placing memorandums in the middle of a letter, where, at firſt ſight, they make ſo abſurd and ſo unnatural an appearance. But if any ſhall ſtill carry their refinement ſo far, as to ſuppoſe that the forgers were ſo artful as to throw in this circumſtance, in order to preſerve the appearance of genuineneſs, they muſt at leaſt allow that the queen's enemies, who employed theſe forgers, could not be ignorant of the deſign and meaning of theſe ſhort notes and memorandums; but we find them miſtaking them ſo far as to imagine that they were the *credit of the bearer*, i. e. points concerning which the queen had given him verbal inſtructions. Good. ii. 152. This they cannot poſſibly be; for the queen herſelf writes with ſo much exactneſs concerning the different points in the memorandums, that there was no need of giving any credit or inſtructions to the bearer concerning them. The memorandums are indeed the *contents* of the letter. 5. Mary, mentioning her converſation with the king, about the affair of Mynto, Hiegait, &c. ſays, "The morne, [i. e. to-morrow] I will ſpeik to him upon that point;" and then adds, "As to the reſt of Wille Hiegait's, he confeſſit it; but it was the morne [i. e. the morning] after my coming or he did it." Good. ii. 9. This addition, which could not have been made till after the converſation happened, ſeems either to have been inſerted by the queen into the body of the letter, or, perhaps, ſhe having written it on the margin, it was taken thence into the text. If we ſuppoſe the letter to be a real one, and written at different times, as it plainly bears, this circumſtance appears to be very natural; but no reaſon could have induced a forger to have ventured upon ſuch an anachroniſm, for which there was no neceſſity. An addition perfectly ſimilar to this made to a genuine paper, may be found, Good. ii. 282.

But, on the other hand, Mary herſelf, and the advocates for her innocence, have contended, that theſe letters were

forged

forged by her enemies, on purpoſe to blaſt her reputation, and to juſtify their own rebellion. It is not neceſſary to take notice of the arguments which were produced, in her own age, in ſupport of this opinion; the obſervations which we have already made, contain a full reply to them. An author, who has inquired into the affairs of that period with great induſtry, and who has acquired much knowledge of them, has publiſhed (as he affirms) a demonſtration of the forgery of Mary's letters. This demonſtration he founds upon evidence both internal and external. With regard to the former, he obſerves, that the French copy of the queen's letters is plainly a tranſlation of Buchanan's Latin copy; which Latin copy is only a tranſlation of the Scottiſh copy; and, by conſequence, the aſſertion of the queen's enemies, that ſhe wrote them originally in French, is altogether groundleſs, and the whole letters are groſs forgeries. He accounts for this ſtrange ſucceſſion of tranſlations, by ſuppoſing that when the forgery was projected, no perſon could be found capable of writing originally in the French language letters which would paſs for the queen's; for that reaſon they were firſt compoſed in Scottiſh; but unluckily the French interpreter, as he conjectures, did not underſtand that language; and therefore Buchanan tranſlated them into Latin, and from his Latin they were rendered into French. Good. i. 79, 80.

It is hardly neceſſary to obſerve, that no proof whatever is produced of any of theſe ſuppoſitions. The manners of the Scots, in that age, when almoſt every man of rank ſpent a part of his youth in France, and the intercourſe between the two nations was great, render it altogether improbable that ſo many complicated operations ſhould be neceſſary in order to procure a few letters to be written in the French language.

But without inſiſting farther on this, we may obſerve, that all this author's premiſes may be granted, and yet his concluſion will not follow, unleſs he likewiſe prove that the French letters, as we now have them, are a true copy of thoſe which were produced by Murray and his party in the Scottiſh parliament, and at York and Weſtminſter. But this he has not attempted; and if we attend to the hiſtory of the letters, ſuch an attempt, it is obvious, muſt have been unſucceſsful. The letters were firſt publiſhed at the end of Buchanan's *Detection*. The firſt edition of this treatiſe was in Latin, in which language three of the queen's letters were ſubjoined to it; this Latin edition was printed A. D. 1571. Soon after, a Scottiſh tranſlation of it was publiſhed, and at

the end of it were printed, likewiſe in Scottiſh, the three letters which had formerly appeared in Latin, and five other letters in Scottiſh, which were not in the Latin edition. Next appeared a French tranſlation of the Detection, and of ſeven of the letters; this bears to have been printed at Edinburgh by Thomas Waltem, 1572. The name of the place, as well as the printer, is allowed by all parties to be a manifeſt impoſture. Our author, from obſerving the day of the month, from which the printing is ſaid to have been finiſhed, has aſſerted that this edition was printed at London; but no ſtreſs can be laid upon a date found in a book, where every other circumſtance with regard to the printing is allowed to be falſe. Blackwood, who (next to Leſly) was the beſt informed of all Mary's advocates in that age, affirms that the French edition of the Detection was publiſhed in France: "Il [Buchanan] a depuis adjouſté a ceſte declamation un petit libelle du pretendu mariage du duc de Norfolk, et de la façon de ſon proces, et la tout envoyè aux freres a la Rochelle, leſquels voyants qu'il pouvoit ſervir a la cauſe, l'ont traduit en François, et iceluy fut imprimée a Edinbourg, c'eſt a dire a la Rochelle, par Thomas Waltem, nom apoſté et fait a plaiſir. Martyre de Marie. Jebb, ii. 256." The author of the *Innocence de Marie* goes farther, and names the French tranſlator of the Detection. "Et icelui premierement compoſé (comme il ſemble) par George Buchanan Eſcoſſoys, et depuis traduit en langue Françoiſe par un Hugonot, Poitevin (advocat de vocation) Camuz, ſoi diſant gentilhomme, et un de plus remarquez ſediteuz de France. Jebb, i. 425. 443." The concurring teſtimony of two contemporary authors, whoſe reſidence in France afforded them ſufficient means of information, muſt outweigh a ſlight conjecture. This French tranſlator does not pretend to publiſh the original French letters as written by the queen herſelf; he expreſsly declares that he tranſlated them from the Latin. Good. i. 103. Had our author attended to all theſe circumſtances, he might have ſaved himſelf the labour of ſo many criticiſms to prove that the preſent French copy of the letters is a tranſlation from the Latin. The French editor himſelf acknowledges it, and, ſo far as I know, no perſon ever denied it.

We may obſerve, that the French tranſlator was ſo ignorant, as to affirm that Mary had written theſe letters, partly in French, partly in Scottiſh. Good. i. 103. Had this tranſlation been publiſhed at London by Cecil, or had it been made by his direction, ſo groſs an error would not have been admitted into it. This error, however, was owing to an

odd circumſtance. In the Scottiſh tranſlation of the Detection, two or three ſentences of the original French were prefixed to each letter, which breaking off with an &c. the Scottiſh tranſlation of the whole letter followed. This method of printing tranſlations was not uncommon in that age. The French editor obſerving this, fooliſhly concluded that the letters had been written partly in French, partly in Scottiſh.

If we carefully conſider thoſe few French ſentences of each letter, which ſtill remain, and apply to them that ſpecies of criticiſm, by which our author has examined the whole, a clear proof will ariſe, that there was a French copy not tranſlated from the Latin, but which was itſelf the original from which both the Latin and Scottiſh have been tranſlated. This minute criticiſm muſt neceſſarily be diſagreeable to many readers; but luckily a few ſentences only are to be examined, which will render it extremely ſhort.

In the firſt letter, the French ſentence prefixed to it ends with theſe words, *y faiſoit bon.* It is plain this expreſſion, *veu ce que peut un corps ſans cœur*, is by no means a tranſlation of *cum plane perinde eſſem atque corpus ſine corde.* The whole ſentence has a ſpirit and elegance in the French, which neither the Latin nor Scottiſh have retained. *Juſques a la dinée* is not a tranſlation of *toto prandii tempore;* the Scottiſh tranſlation, *quhile denner-time*, expreſſes the ſenſe of the French more properly; for anciently *quhile* ſignified *until* as well as *during*. *Je n'ay pas tenu grand propos* is not juſtly rendered *neque contulerim ſermonem cum quoquam;* the phraſe uſed in the French copy is one peculiar to that language, and gives a more probable account of her behaviour than the other. *Jugeant bien qu'il n'y faiſoit bon*, is not a tranſlation of *ut qui judicarent id non eſſe ex uſu.* The French ſentence prefixed to lett. 2. ends with *apprendre.* It is evident that both the Latin and Scottiſh tranſlations have omitted altogether theſe words, *et toutefois ja ne puis apprendre.* The French ſentence prefixed to lett. 3. ends with *preſenter. J'aye veillè plus tard la haut* is plainly no tranſlation of *diutius illic morata ſum;* the ſenſe of the French is better expreſſed by the Scottiſh *I have walkit later thereup.* Again, *Pour excuſer voſtre affaire* is very different from *ad excuſandum noſtra negotia.* The five remaining letters never appeared in Latin; nor is there any proof of their being ever tranſlated into that language. Four of them, however, are publiſhed in French. This entirely overturns our author's hypotheſis concerning the neceſſity of a tranſlation into Latin.

In the Scottiſh edition of the Detection the whole *ſonnet* is printed in French as well as in Scottiſh. It is not poſ-

ſible to believe that this Scottiſh copy could be the original from which the French was tranſlated. The French conſiſts of verſes which have both meaſure and rhime, and which, in many places, are far from being inelegant. The Scottiſh conſiſts of an equal number of lines, but without meaſure or rhime. Now no man could ever think of a thing ſo abſurd and impracticable, as to require one to tranſlate a certain given number of lines in proſe, into an equal number of verſes, where both meaſure and rhime were to be obſerved. The Scottiſh, on the contrary, appears manifeſtly to be a tranſlation of the French; the phraſes, the idioms, and many of the words are French, and not Scottiſh. Beſides, the Scottiſh tranſlator has, in ſeveral inſtances, miſtaken the ſenſe of the French, and in many more expreſſes the ſenſe imperfectly. Had the ſonnet been forged, this could not have happened. The directors of the fraud would have underſtood their own work. I ſhall ſatisfy myſelf with one example, in which there is a proof of both my aſſertions. Stanza viii. ver. 9.

Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder ſantè et vie,
Pour luy tout vertu de ſuivre j'ay envie.

For him I attend all good fortune,
For him I will conſerve helthe and lyfe,
For him I deſire to enſue courage.

Attena in the firſt line is not a Scottiſh, but a French phraſe; the two other lines do not expreſs the ſenſe of the French, and the laſt is abſolute nonſenſe.

THE eighth letter was never tranſlated into French. It contains much refined myſticiſm about *devices*, a folly of that age, of which Mary was very fond, as appears from ſeveral other circumſtances, particularly from a letter concerning *impreſas* by Drummond of Hawthornden. If Mary's adverſaries forged her letters, they were certainly employed very idly when they produced this.

FROM theſe obſervations it ſeems to be evident that there was a French copy of Mary's letters, of which the Latin and Scottiſh were only tranſlations. Nothing now remains of this copy but thoſe few ſentences which are prefixed to the Scottiſh tranſlation. The French editor laid hold of theſe ſentences, and tacked his own tranſlation to them, which, ſo far as it is his work, is a ſervile and a very wretched tranſlation of Buchanan's Latin; whereas, in thoſe introductory ſentences, we have diſcovered ſtrong marks of their

being originals, and certain proofs that they are not tranſlated from the Latin.

It is apparent, too, from comparing the Latin and Scottiſh tranſlations with theſe ſentences, that the Scottiſh tranſlator has more perfectly attained the ſenſe and ſpirit of the French than the Latin. And as it appears, that the letters were very early tranſlated into Scottiſh, Good. ii. 763 it is probable that Buchanan made his tranſlation, not from the French, but from the Scottiſh copy. Were it neceſſary, ſeveral critical proofs of this might be produced. One that has been already mentioned ſeems deciſive. *Diutius illic morata ſum* bears not the leaſt reſemblance to *j'ay veillé plus tard la haut*, but if, inſtead of *I walkit* [i. e. watched] *laiter there up*, we ſuppoſe that Buchanan read *I waitit*, &c. this miſtake, into which he might ſo eaſily have fallen, accounts for the error in his tranſlation.

These criticiſms, however minute, appear to be well founded. But whatever opinion may be formed concerning them, the other arguments, with regard to the internal evidence, remain in full force.

The external proofs of the forgery of the queen's letters, which our author has produced, appear at firſt ſight to be ſpecious, but are not more ſolid than that which we have already examined. Theſe proofs may be claſſed under two heads. 1. The erroneous and contradictory accounts which are ſaid to be given of the letters, upon the firſt judicial production of them. In the ſecret council held Decem. 4, 1567, they are deſcribed "as her privie letters written and ſubſcrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, paſſed on the 15th of the ſame month, they are deſcribed as "her privie letters writtin halelie with her awin hand." Good. ib. 67. This diverſity of deſcription has been conſidered as a ſtrong preſumption of forgery. The manner in which Mr. Hume accounts for this is natural and plauſible, vol. v. p. 498. And ſeveral ingenious remarks, tending to confirm his obſervations, are made in a pamphlet lately publiſhed, intitled, *Miſcellaneous Remarks on the Enquiry into the Evidence againſt Mary Queen of Scots.* To what they have obſerved it may be added, that the original act of ſecret council does not now exiſt; we have only a copy of it found among Cecil's papers, and the tranſcriber has been manifeſtly ſo ignorant, or ſo careleſs, that an argument founded entirely upon the ſuppoſition of his accuracy is of little force. Several errors into which he has fallen, we are enabled to point out, by comparing his copy of the act of ſecret council with the act of parliament

paſſed in conſequence of it. The former contains a petition to parliament; in the latter the real petition is reſumed *verbatim*, and converted into a law. In the copy, the queen's marriage with Bothwell is called "a priveit marriage," which it certainly was not; for it was celebrated, after proclamation of banns, in St. Giles's church three ſeveral days, and with public ſolemnity; but in the act it is denominated "ane pretendit marriage," which is the proper deſcription of it, according to the ideas of the party. In the copy, the queen is ſaid "to be ſo thrall and *bludy* affectionat to the privat appetite of that tyran," which is nonſenſe, but in the act it is "blindly affectionat." In the copy it is ſaid, "all nobill and virtuous men abhorring their *traine* and company." In the act, "thein tyrannie and companie," which is evidently the true reading, as the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impoſſibility of reconciling the account, given of the time when, and the places from which, the letters are ſuppoſed to have been written, with what is certainly known concerning the queen's motions. According to the paper publiſhed, Anderſ. ii. 269. which has been called Murray's Diary, and which is formed upon the authority of the letters, Mary ſet out from Edinburgh to Glaſgow, January 21, 1567; ſhe arrived there on the 23d; left that place on the 27th; ſhe, together with the king, reached Linlithgow on the 28th, ſtayed in that town only one night, and returned to Edinburgh before the end of the month. But, according to Mr. Goodal, the queen did not leave Edinburgh until Friday January 24th; as ſhe ſtayed a night at Callendar, ſhe could not reach Glaſgow ſooner than the evening of Saturday the 25th, and ſhe returned to Linlithgow on Tueſday the 28th. By conſequence, the firſt letter, which ſuppoſes the queen to have been at leaſt four days in Glaſgow, as well as the ſecond letter, which bears date at Glaſgow *Saturday morning*, whereas ſhe did not arrive there until the evening, muſt be forgeries. That the queen did not ſet out from Edinburgh ſooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a life-rent* by James Boyd to Margaret Chalmers, granted by the queen, on the 24th of January, at Edinburgh; and likewiſe a letter of the queen's dated at Edinburgh on the ſame day, appointing James Inglis taylor to the prince her ſon. That the king and queen had returned to Linlithgow on the 28th, appears from a deed, in which they appoint Andrew Ferrier keeper

of

of their palace there, dated at Linlithgow January 28. Good. i. 118.

THIS has been repreſented to be not only a convincing, but a legal proof of the forgery of the letters ſaid to be written by Mary; but how far it falls ſhort of this will appear from the following conſiderations:

1. IT is evident, from a declaration or confeſſion made by the biſhop of Roſs, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her hands a copy of thoſe letters which her ſubjects accuſed her of having written to Bothwell. Brown's Trial of the Duke of Norfolk, 31. 36. It is highly probable that the biſhop of Roſs had ſeen the letters before he wrote the defence of queen Mary's honour in the year 1570. They were publiſhed to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error ſo groſs, and, at that time, ſo obvious to diſcovery, as the ſuppoſing the queen to have paſſed ſeveral days at Glaſgow, while ſhe was really at Edinburgh; had they contained a letter dated at Glaſgow, Saturday morning, though ſhe did not arrive there till the evening; is it poſſible that ſhe herſelf, who knew her own motions, or the able and zealous advocates who appeared for her in that age, ſhould not have publiſhed and expoſed this contradiction, and, by ſo doing, have blaſted at once the credit of ſuch an impoſture? In diſquiſitions which are naturally abſtruſe and intricate, the ingenuity of the lateſt author may diſcover many things which have eſcaped the attention, or baffled the ſagacity of thoſe who have formerly conſidered the ſame ſubject. But when a matter of fact lay ſo obvious to view, this circumſtance of its being unobſerved by the queen herſelf, or by any of her adherents, is almoſt a demonſtration that there is ſome miſtake or fallacy in our author's arguments. So far are any, either of our hiſtorians, or of Mary's defenders, from calling in queſtion the common account concerning the time of the queen's ſetting out to Glaſgow, and her returning from it, that there is not the leaſt appearance of any difference among them with regard to this point. But farther,

2. THOSE papers in the public records, on which our author reſts the proof of his aſſertion concerning the queen's motions, are not the originals ſubſcribed by the queen, but copies only, or tranſlations of copies of thoſe originals. It is not neceſſary, nor would it be very eaſy to render this intelligible to perſons unacquainted with the forms of law in Scotland; but every Scotſman converſant in buſineſs will underſtand

underſtand me when I ſay that the precept of confirmation of the life-rent to Boyd is only a Latin copy or note of a precept, which was ſealed with the privy ſeal, on a warrant from the ſignet-office, proceeding on a ſignature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter, ſealed with the privy ſeal, proceeding on a ſignature which bore date at Edinburgh January 24. From all this we may argue with ſome degree of reaſon, that a proof founded on papers which are ſo many removes diſtant from the originals, cannot but be very lame and uncertain.

3. At that time all public papers were iſſued in the name both of the king and queen; by law, the king's ſubſcription was no leſs requiſite to any paper than the queen's; and therefore unleſs the original ſignatures be produced, in order to aſcertain the particular day when each of them ſigned, or to prove that it was ſigned only by one of them, the legal proof ariſing from theſe papers would be, that both the king and queen ſigned them at Edinburgh on the 24th of January.

4. The dates of the warrants or precepts iſſued by the ſovereign, in that age, ſeem to have been in a great meaſure arbitrary, and affixed at the pleaſure of the writer; and of conſequence, theſe dates were ſeldom accurate, are often falſe, and can never be relied upon. This abuſe became ſo frequent, and was found to be ſo pernicious, that an act of parliament A. D. 1592, declared the fixing a falſe date to a ſignature to be high treaſon.

5. There ſtill remain, in the public records, a great number of papers, which prove the neceſſity of this law, as well as the fallacy of our author's arguments. And though it be no eaſy matter, at the diſtance of two centuries, to prove any particular date to be falſe, yet ſurpriſing inſtances of this kind ſhall be produced. Nothing is more certain from hiſtory, than that the king was at Glaſgow 24th January 1567; and yet the record of ſignatures from 1565 to 1582, fol. 16th, contains the copy of a ſignature to Archibald Edmonſton, ſaid to have been ſubſcribed by *our ſovereigns*, i. e. the king and queen, at Edinburgh, January 24, 1567; ſo that if we were to rely implicitly upon the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the queen, but the king too, was at Edinburgh on the 24th of January.

It appears from an original letter of the biſhop of Roſs, that on the 25th of October 1566, Mary lay at the point of death; Keith, App. 134; and yet a deed is to be found in the

the public records, which bears that it was ſigned by the queen that day. Privy ſeal, lib. 35. fol. 89. *Ouchterlony* [d].

BOTHWELL ſeized the queen as ſhe returned from Stirling, April 24th, 1567, and (according to her own account) conducted her to Dunbar with all diligence. And. i. 95. But our author, relying on the dates of ſome papers which he found in the records, ſuppoſes that Bothwell allowed her to ſtop at Edinburgh, and to tranſact buſineſs there. Nothing can be more improbable than this ſuppoſition. We may therefore rank the date of the deed to *Wright*, Privy ſeal, lib. 36. fol. 43. and which is mentioned by our author, vol. i. 124. among the inſtances of the falſe dates of papers which were iſſued in the ordinary courſe of buſineſs in that age. Our author has miſtaken the date of the other paper to Forbes, ibid. it is ſigned April 14th, not April 24th.

IF there be any point agreed upon in Mary's hiſtory, it is, that ſhe remained at Dunbar from the time that Bothwell carried her thither, till ſhe returned to Edinburgh along with him in the beginning of May. Our author himſelf allows that ſhe reſided twelve days there, vol. i. 367. Now though there are deeds in the records which bear that they were ſigned by the queen at Dunbar during that time, yet there are others which bear that they were ſigned at Edinburgh; e. g. there is one at Edinburgh, April 27th, Privy ſeal, lib. 36. fol. 97. There are others ſaid to be ſigned at Dunbar on that day. Lib. 31. Chart. No. 524. 526. Ib. lib. 32. No. 154. 157. There are ſome ſigned at Dunbar April 28th. Others at Edinburgh April 30th, lib. 32. Chart. No. 492. Others at Dunbar May 1ſt. Id. ibid. No. 158. Theſe different charters ſuppoſe the queen to have made ſo many unknown, improbable, and inconſiſtent journeys, that they afford the cleareſt demonſtration that the dates in theſe records ought not to be depended on.

THIS becomes more evident from the date of the charter ſaid to be ſigned April 27th, which happened that year to be a Sunday, which was not, at that time, a day of buſineſs in Scotland, as appears from the books of *ſederunt*, then kept by the Lords of Seſſion.

FROM this ſhort review of our author's proof of the forgery of the letters to Bothwell, it is evident that his arguments are far from amounting to demonſtration.

[d] N. B. In ſome of the early editions of this Diſſertation, another inſtance of the ſame nature with thoſe which go before and follow was mentioned; but that, as has ſince been diſcovered, was founded on a miſtake of the perſon employed to ſearch the records, and is therefore omitted in this edition. The reaſoning, however, in the Diſſertation ſtands ſtill in force, notwithſtanding this omiſſion.

ANOTHER

ANOTHER argument againſt the genuineneſs of theſe letters is founded on the ſtyle and compoſition, which are ſaid to be altogether unworthy of the queen, and unlike her real productions. It is plain, both from the great accuracy of compoſition in moſt of Mary's letters, and even from her ſolicitude to write them in a fair hand, that ſhe valued herſelf on thoſe accompliſhments, and was deſirous of being eſteemed an elegant writer. But when ſhe wrote at any time in a hurry, then many marks of inaccuracy appear. A remarkable inſtance of this may be found in a paper publiſhed Good. ii. 301. Mary's letters to Bothwell were written in the utmoſt hurry; and yet under all the diſadvantages of a tranſlation, they are not deſtitute either of ſpirit or of energy. The manner in which ſhe expreſſes her love to Bothwell has been pronounced indecent and even ſhocking. But Mary's temper led her to warm expreſſions of her regard; thoſe refinements of delicacy, which now appear in all the commerce between the ſexes, were, in that age, but little known, even among perſons of the higheſt rank. Among the earl of Hardwicke's papers, there is a ſeries of letters, from Mary to the duke of Norfolk, copied from the Harleian library, p. 37. b. 9. fol. 88. in which Mary declares her love to that nobleman in language which would now be reckoned extremely indelicate; Hard. State Papers, i. 189, &c.

SOME of Mary's letters to Bothwell were written before the murder of her huſband; ſome of them after that event, and before her marriage to Bothwell. Thoſe which are prior to the death of her huſband abound with the fondeſt expreſſions of her love to Bothwell, and excite ſomething more than a ſuſpicion that their familiarity had been extremely criminal. We find in them, too, ſome dark expreſſions, which her enemies employed to prove that ſhe was no ſtranger to the ſchemes which were formed againſt her huſband's life. Of this kind are the following paſſages; "Alace! I nevir diſſavit ony body; bot I remit me altogidder to zour will. Send me advertiſement quhat I ſall do, and quhatſaever thing come thereof, I ſall obey zow. Adviſe to with zourſelf, gif ze can find out ony mair ſecret inventioun by medicine, for he ſuld tak medicine and the bath at Craigmillar." Good. ii. 22. "See not hir quhais fenzeit teiris ſuld not be ſa meikle praiſit and eſtemit, as the trew and faithfull travellis quhilk I ſuſtene for to merit hir place. For obtaining of the quhilk, aganis my natural, I betrayis thame that may impeſche me. God forgive me," &c. Ibid. 27. "I have walkit later thairup, than I wald have done,

done, gif it had not been to draw ſomething out of him, quhilk this beirer will ſchaw zow, quhilk is the faireſt commodity that can be offerit to excuſe zour affairis." Ibid. 32. From the letters poſterior to the death of her huſband, it is evident that the ſcheme of Bothwell's ſeizing Mary by force, and carrying her along with him, was contrived in concert with herſelf, and with her approbation [z].

WITH

[z] THAT letters of ſo much importance as thoſe of Mary to Bothwell ſhould have been entirely loſt, appears to many altogether unaccountable. After being produced in England before Elizabeth's commiſſioners, they were delivered back by them to the earl of Murray. Good. ii. 235. He ſeems to have kept them in his poſſeſſion during life. After his death, they fell into the hands of Lennox his ſucceſſor, who reſtored them to the earl of Morton. Good. ii. 91. Though it be not neceſſarily connected with any of the queſtions which gave occaſion to this Diſſertation, it may perhaps ſatisfy the curiority of ſome of my readers to inform them, that, after a very diligent ſearch, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public libraries in Great Britain. The only certain intelligence concerning them, ſince the time of their being delivered to Morton, was communicated by the accurate Dr. Birch.

EXTRACT of the letters of Robert Bowes, Eſq. ambaſſador from queen Elizabeth to the king of Scotland, written to Sir Francis Walſingham, ſecretary of ſtate, from the original regiſter book of Mr. Bowes's letters, from 15th of Auguſt 1582, to 28th September 1583, in the poſſeſſion of Chriſtopher Hunter, M. D. of Durham.

1582, 8th November, from Edinburgh.

ALBEIT I have been borne in hand, That the coffer wherein were the originals of letters between the Scottiſh queen and the earl of Bothwell, had been delivered to ſundry hands, and thereby was at preſent wanting, and unknown where it reſted, yet I have learned certainly by the prior of Pluſcardyne's means, that both the coffer and alſo the writings are come, and now remain with the earl of Gowrie, who, I perceive, will be hardly intreated to make delivery to her majeſty according to her majeſty's deſire.

THIS time paſt I have expended in ſearching where the coffer and writings were, wherein, without the help of the prior I ſhould have found great difficulty; now I will eſſay Gowrie, and of my ſucceſs you ſhall be ſhortly adverti[ſed].

12th of November 1582, from Edinburgh.

BECAUSE I had both learned, that the caſket and letters mentioned in my laſt, before theſe were come to the poſſeſſion of the earl of Gowrie, and alſo found that no mean might prevail to win the ſame out of his hands without his own conſent and privity; in which behalf I had employed fit inſtruments, that nevertheleſs profited nothing; therefore I attempted to eſſay himſelf, letting him know that the ſaid caſket and letters ſhould have been brought to her majeſty by the offer and good means of good friends, promiſing to have delivered them to her majeſty before they came into his hands and cuſtody, and knowing that he did bear the like affection, and was ready to pleaſure her majeſty in all things, and chiefly in this that had been thus far tendered to her majeſty, and which thereby ſhould be well accepted, and with princely thanks and gratuity be requited to his comfort and contentment; I moved him that they might be a preſent to be ſent to her majeſty from him, and that I might cauſe the ſame to be conveyed to her majeſty, adding hereunto ſuch words and arguments as might both ſtir up a hope of liberality, and alſo beſt effect the purpoſe. At the firſt he was loth to agree that they were in his poſſeſſion; but I let him plainly know that I was certainly informed that they were delivered to him by Sanders Jardin; whereupon he preſſed to know who did ſo inform me, enquiring whether the ſons of the earl of Morton had done it or no. I did not otherwiſe in plain terms deny or anſwer thereunto, but that he might think that he had told me, as the prior is ready to avouch, and well pleaſed that I ſhall give him to be the author thereof; after

WITH reſpect to the ſonnets, Sir David Dalrymple has proved clearly, that they muſt have been written after the murder

after he had ſaid [though] all theſe letters were in his keeping (which he would neithe grant nor deny) yet he might not deliver them to any perſon without the conſents and privities, as well of the king, that had intereſt therein, as alſo of the reſt of the noblemen enterpriſers of the action againſt the king's mother, and that would have them kept as an evidence to warrant and make good that action. And albeit I replied, that their action in that part touching the aſſignation of the crown to the king by his mother, had received ſuch eſtabliſhment, confirmation, and ſtrength, by acts of parliament and other public authority and inſtruments, as neither ſhould that caſe be ſuffered to come in debate or queſtion, nor ſuch ſcrolls and papers ought to be ſhewed for the ſtrengthening thereof, ſo as theſe might well be left and be rendered to the hands of her majeſty, to whom they were deſtined before they fell in his keeping; yet he would not be removed or ſatisfied; concluding, after much reaſonings, that the earl of Morton, nor any other that had the charge and keeping thereof, durſt at any time make delivery; and becauſe it was the firſt time that I had moved him therein, and that he would gladly both anſwer her majeſty's good expectation in him, and alſo perform his duty due to his ſovereign and aſſociates in the action aforeſaid; therefore he would ſeek out the ſaid caſket and letters, at his return to his houſe, which he thought ſhould be within a ſhort time, and upon finding of the ſame, and better advice and conſideration had of the cauſe, he would give further anſwer. This reſolution I have received as to the thing; and for the preſent I could not better, leaving him to give her majeſty ſuch teſtimony of his good will towards her, by his frank dealing herein, as ſhe may have cauſe to confirm her highneſſes good opinion conceived already of him, and be thereby drawn to greater goodneſs towards him. I ſhall ſtill labour him both by myſelf and alſo by all other means; but I greatly diſtruſt the deſired ſucceſs herein.

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the hands of the earl of Gowrie, I have lately moved him earneſtly therein, letting him know the purpoſe of the Scottiſh queen, both giving out that the letters are counterfeited by her rebels, and alſo ſeeking thereon to have them delivered to her or defaced, and that the means which ſhe will make in this behalf ſhall be ſo great and effectual, as theſe writings cannot be ſafely kept in that realm without dangerous offence of him that hath the cuſtody thereof, neither ſhall he that is once known to have them be ſuffered to hold them in his hands. Herewith I have at large opened the perils likely to fall to that action, and the parties therein, and particularly to himſelf that is now openly known to have the poſſeſſion of theſe writings, and I have lettin him ſee what ſurety it ſhall bring to the ſaid cauſe and all the parties therein, and to himſelf, that theſe writings may be with ſecrecy and good order committed to the keeping of her majeſty, that will have them ready whenſoever any uſe ſhall be for them, and by her highneſſes countenance defend them and the parties from ſuch wrongful objections as ſhall be laid againſt them, offering at length to him, that if he be not fully ſatisfied herein, or doubt that the reſt of the aſſociates ſhall not like of the delivery of them to her majeſty in this good manner, and for the intereſt rehearſed, that I ſhall readily, upon meeting and conference with them, procure their aſſent in this part (a matter more eaſy to offer than to perform); and laſtly, moving him that (for the ſecrecy and benefit of the cauſe, and that her majeſty's good opinion towards himſelf may be firmly ſettled and confirmed by his acceptable forwardneſs herein) he would, without needleſs ſcruple, frankly commit theſe writings to her majeſty's good cuſtody for the good uſes received. After long debate he reſolved, and ſaid, that he would unfeignedly ſhew and do to her majeſty all the pleaſure that he might without offence to the king his ſovereign, and prejudice to the aſſociates in the action; and therefore he would firſt make ſearch and view the ſaid letters, and herein take advice what he might do, and how far he might ſatisfy and content her majeſty; promiſing thereon to give more reſolute anſwer; and he concluded flatly, that after he had found and ſeen the writings, that he might not make delivery of them without the privity of the king.

murder of the king, and prior to Mary's marriage with Bothwell. But as hardly any part of my narrative is founded upon what is contained in the ſonnets, and as in this Diſſertation I have been conſtrained to dwell longer upon minute and verbal criticiſms, than may be intereſting or agreeable to many of my readers, I ſhall reſt ſatisfied with referring, for information concerning every particular relative to the ſonnets, to *Remarks on the Hiſtory of Scotland*, Chap. XI.

HAVING thus ſtated the proof on both ſides; having examined at ſo great a length the different ſyſtems with regard to the facts in controverſy; it may be expected that I ſhould now pronounce ſentence. In my opinion, there are only two concluſions, which can be drawn from the facts which have been enumerated.

ONE, that Bothwell, prompted by his ambition or love, encouraged by the queen's known averſion to her huſband, and preſuming on her attachment to himſelf, ſtruck the blow without having concerted with her the manner or circumſtances of perpetrating that crime. That Mary, inſtead of teſtifying much indignation at the deed, or diſcovering any reſentment againſt Bothwell, who was accuſed of having committed it, continued to load him with marks of her regard, conducted his trial in ſuch a manner as rendered it impoſſible to diſcover his guilt, and ſoon after, in oppoſition to

king. Albeit I ſtood long with him againſt his reſolution in this point, to acquaint the king with this matter before the letters were in the hands of her majeſty, letting him ſee that his doings there ſhould admit great danger to the cauſe; yet I could not remove him from it. It may be that he meaneth to put over the matter from himſelf to the king, upon ſight whereof I ſhall travel effectually to obtain the king's conſent, that the letters may be committed to her majeſty's keeping, thinking it more eaſy to prevail herein with the king, in the preſent love and affection that he beareth to her highneſs, than to win any thing at the hands of the aſſociates in the action, whereof ſome principal of them now come and remain at the devotion of the king's mother; in this I ſhall ſtill call on Gowrie, to ſearch out the coffer, according to his promiſe; and as I ſhall find him minded to do therein, ſo ſhall I do my beſt and whole endeavour to effect the ſucceſs to her majeſty's beſt contentment.

2d December 1582, from Edinburgh.

BECAUSE I ſaw good opportunity offered to renew the matter to the earl of Gowrie for recovery of the letters in the coffer in his hands, therefore I put him in mind thereof; whereupon he told me, that the duke of Lennox had ſought earneſtly to have had thoſe letters, and that the king did know where they were, ſo as they could not be delivered to her majeſty without the king's privity and conſent, and he pretended to be ſtill willing to pleaſure her majeſty in the ſame, ſo far as he may with his duty to the king and to the reſt of the aſſociates in that action; but I greatly diſtruſt to effect this to her majeſty's pleaſure, wherein nevertheleſs I ſhall do my utmoſt endeavours.

WHETHER James VI. who put the earl of Gowrie to death, A. D. 1584, and ſeized all his effects, took care to deſtroy his mother's letters, for whoſe honour he was at that time extremely zealous; whether they have periſhed by ſome unknown accident; or whether they may not ſtill remain unobſerved among the archives of ſome of our great families, it is impoſſible to determine.

all

all the maxims of decency or of prudence, voluntarily agreed to a marriage with him, which every conſideration ſhould have induced her to deteſt. By this verdict, Mary is not pronounced guilty of having contrived the murder of her huſband, or even of having previouſly given her conſent to his death; but ſhe is not acquitted of having diſcovered her approbation of the deed, by her behaviour towards him who was the author of it.

THE other concluſion is that which Murray and his adherents laboured to eſtabliſh, "That James, ſometymme earl of Bothwile, was the chiefe executor of the horribill and unworthy murder, perpetrat in the perſon of umquhile king Henry of gude memory, fader to our ſoveraine lord, and the queenis lauchfull huſband; ſa was ſhe of the foreknowledge, counſall, deviſe, perſwuadar and command of the ſaid murder to be done." Good. ii. 207.

WHICH of theſe concluſions is moſt agreeable to the evidence that has been produced, I leave my readers to determine.

ADDI-

ADDITION *to Page* 66, *Line* 14.

THE violence of national hatred between the Engliſh and Scots in the ſixteenth century was ſuch as can hardly be conceived by their poſterity. A proof of the fierce reſentment of the Scots is contained in the note on pages 66 and 67. The inſtructions of the privy council of England to the earl of Hertford, who commanded the fleet and army which invaded Scotland A. D. 1544, are dictated by a national animoſity no leſs exceſſive. I found them in the collection of papers belonging to the duke of Hamilton, and they merit publication, as they exhibit a ſtriking picture of the ſpirit of that period.

The Lords of the Councill to the Earl of Hertford, lieutenant in Scotland, April 10, 1544.

THE inſtruction begins with obſerving, that the king had originally intended to fortify Leith and keep poſſeſſion of it, but, after mature deliberation, he had finally determined not to make any ſettlement in Scotland at preſent, and therefore he is directed not to make any fortification at Leith or any other place:—

"BUT only for that journey to put all to fire and ſword, burn Edinburgh town, ſo uſed and defaced that when you have gotten what you can of it, it may remain for ever a perpetual memory of the vengeance of God lightened upon it, for their falſhood and diſloyalty. Do what you can out of hand, and without long tarrying to beat down or overthrow the caſtle; ſack houſes and as many towns and villages about Edinburgh as ye may conveniently. Sack Leith, and ſubvert it, and all the reſt, putting man, woman, and child to fire and ſword, without exception, when any reſiſtance ſhall be made againſt you; and this done, paſs over to the Fifeland, and extend like extremities and deſtruction to all towns and villages whereunto you may reach conveniently; not forgetting, amongſt all the reſt ſo to ſpoil and turn up ſide down the cardinal's town St. Andrew's, as the upper ſort may be the nether, and not one *ſtoke* ſtand upon another, ſparing no creature alive within the ſame, ſpecially ſuch as either in friendſhip or blood be allied unto the cardinal; and if ye ſee any likelyhood to win the caſtle give ſome ſtout aſſay to the ſame, and if it be your fortune to get it, raze and deſtroy it piece-meal; and after this ſort, ſpending one month there, ſpoiling and deſtroying as

aforesaid, with the wise foresight that his majesty doubteth not ye will use that your enemies take no advantage of you, and that you enterpize nothing but what you shall see may be easily atchieved, his majesty thinketh verily, and so all we, ye shall find this *journey* succeedeth this way most to his majesty's honour," &c.

These barbarous orders seem to have been executed with a rigorous and unfeeling exactness, as appears from a series of letters from lord Hertford, in the same collection, giving a full account of all his operations in Scotland. They contain several curious particulars, not mentioned by the writers of that age, and with which both the historians of the city of Edinburgh were unacquainted; but they are of too great length to be inserted here.

ADDITION *to Page* 69, *Line* 32.

IN the first edition of this work, I expressed my suspicion of a correspondence between the murderers of cardinal Beatoun and Henry VIII. prior to their committing that crime. In the papers of duke Hamilton is contained the clearest evidence of this, which I publish not only to establish that fact, but as an additional confirmation of the remarks which I made upon the frequency of assassination in that age, and the slight opinion which men entertained concerning it.

The Earl of Hertford to the King's Majesty, Newcastle, April 17, 1544.

Pleaseth your highness to understand, that this day arrived with me the earl of Hertford, a Scottishman called Wishert, and brought me a letter from the lord of Brinstone [*i. e.* Crichton laird of Brunstane] which I send your highness herewith, and according to his request, have taken order for the repair of the said Wishert to your majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brinstone, and also for the declaration of his credence, which as I perceive by him consisteth in two points, one that the lord of Grange late treasurer of Scotland, the master of Rothes, the earl of Rothe's eldest son, and John Charteris, would attempt either to apprehend or slay the cardinal, at some time when he shall pass through

the Fifeland, as he doth ſundry times in his way to St. Andrew's, and in caſe they can ſo apprehend him will deliver him unto your majeſty, which attemplate, he ſaith, they would enterprize, if they knew your majeſty's pleaſure therein, and what ſupportation and maintainance your majeſty would miniſter unto them, after the execution of the ſame, in caſe they ſhould be purſued by any of their enemies; the other is, that in caſe your majeſty would grant unto them a convenient entertainment to keep a 1000 or 1500 men in wages for a month or two, they journeying with the power of the earl marſhal, the ſaid M^r of Rothes, the laird of Calder, and other the lord friends, will take upon them, at ſuch time as your majeſty's army ſhall be in Scotland, to deſtroy the abbey and town of Arbroath, being the cardinals, and all the other biſhops houſes and countries on that ſide of the water thereabout, and to apprehend all thoſe which they ſay be the principal impugnators of amity between England and Scotland; for which they ſhould have a good opportunity, as they ſay, when the power of the ſaid biſhops and abbots ſhall reſort towards Edinburgh to reſiſt your majeſty's army. And for the execution of theſe things, the ſaid Wiſhert ſaith, that the earl marſhal aforenamed and others will capitulate with your majeſty in writing, under their hands and ſeals, afore they ſhall deſire any ſupply or aid of money at your majeſty's hands. This is the effect of his credence, with other ſundry advertiſements of the great diviſion that is at this preſent within the realm of Scotland, which we doubt not he will declare unto your majeſty at good length. Hamilton MSS. vol. iii. p. 38.

N. B. THIS is the letter of which Dr. Mackenzie, vol. iii. p. 18. and Biſhop Keith, Hiſt. p. 44. publiſhed a fragment. It does not authorize us to conclude that Mr. George Wiſhart, known by the name of the Martyr, was the perſon who reſorted to the Earl of Hertford. It was more probably John Wiſhart of Pitarrow, the chief of that name, a man of abilities, zealouſly attached to the reformed doctrine, and deeply engaged in all the intrigues and operations of that buſy period. Keith, 96. 117. 119. 315.

APPENDIX.

No. I. (page 126.)

A MEMORIAL of certain points meet for reſtoring the realm of SCOTLAND *to the antient weale.*

[5th Auguſt 1559, Cotton. Lib. Cal. b. x. fol. 17. From a copy in ſecretary Cecil's hand.]

IMPRIMIS, it is to be noted, that the beſt worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one iſland, divided from the reſt of the world.

IF the firſt is ſought, that is, to be in perpetual peace with England, then muſt it neceſſarily be provided, that Scotland be not ſo ſubject to the appointments of France as is preſently, which, being an antient enemy to England, ſeeketh always to make Scotland an inſtrument, to exerciſe, thereby, their malice upon England, and to make a footſtool thereof to look over England as they may.

THEREFORE, when Scotland ſhall come into the hands of a mere Scottiſh man in blood, then may there be hope of ſuch accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt theſe two realms.

THEREFORE ſeeing it is at the French king's commandment by reaſon of his wife, it is to be conſidered for the weale of Scotland, that until ſhe have children, and during her abſence out of the realm, the next heirs to the crown, being the houſe of the Hamiltons, ſhould have regard hereto, and to ſee that neither the crown be impoſed nor waſted; and, on the other ſide, the nobility and commonalty ought to force that the laws and the old cuſtoms of the realm be not altered, neither that the country be not impoveriſhed by taxes, empreſt, or new impoſts, after the manner of France; for proviſion wherein, both by the law of God and man, the French king and his wife may be moved to reform their miſgovernance of the land.

AND for this purpoſe it were good that the nobility and commons joined with the next heir of the crown, to ſeek due reformation of ſuch great abuſes as tend to the ruin of their country, which muſt be done before the French grow too ſtrong and inſolent.

FIRST, That it may be provided, by conſent of the three eſtates of the land, that the land may be free from all idolatry like as England is; for juſtification whereof, if any free general council may be had

where the pope of Rome have not the ſeat of judgment, they may offer to ſhew their cauſe to be moſt agreeable to Chriſt's religion.

NEXT, To provide that Scotland might be governed, in all rules and offices, by the antient blood of the realm, without either captains, lieutenants, or ſoldiers, as all other princes govern their countries, and eſpecially that the forts might be in the hands of mere Scottiſh men.

THIRDLY, That they might never be occaſioned to enter into wars againſt England, except England ſhould give the firſt cauſe to Scotland.

FOURTHLY, That no nobleman of Scotland ſhould receive penſion of France, except it were whilſt he did ſerve in France, for otherwiſe thereby the French would ſhortly corrupt many to betray their own country.

FIFTHLY, That no office, abbey, living, or commodity, be given to any but mere Scottiſh men, by the aſſent of the three eſtates of the realm.

SIXTHLY, That there be a council in Scotland appointed in the queen's abſence, to govern the whole realm, and in thoſe caſes not to be directed by the French.

SEVENTHLY, That it be by the ſaid three eſtates appointed how the queen's revenue of the realm ſhall be expended, how much the queen ſhall have for her portion and eſtate during her abſence, how much ſhall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treaſure.

IN theſe, and ſuch like points, if the French king and the queen be found unwilling, and will withſtand theſe proviſions for the weale of the land, then hath the three eſtates of the realm authority, forthwith, to intimate to the ſaid king and queen their humble requeſts; and if the ſame be not effectually granted, then humbly they may commit the governance thereof to the next heir of the crown, binding the ſame alſo to obſerve the laws and antient rights of the realm.

FINALLY, If the queen ſhall be unwilling to this, as it is likely ſhe will, in reſpect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleaſed to transfer from her the rule of the kingdom for the weale of it, and this time muſt be uſed with great circumſpection, to avoid the deceipts and tromperies of the French.

AND then may the realm of Scotland conſider, being once made free, what means may be deviſed by God's goodneſs, to accord the two realms, to endure for time to come at the pleaſure of Almighty God, in whoſe hands the hearts of all princes be.

No. II. (p. 137.)

A letter of Maitland of Lethington's, thus directed:

To my loving friend James. Be this delivered at London.

[20th Jan. 1559-60. Cott. Lib. Cal. b. ix. From the original in his own hand.]

I UNDERSTAND by the laſt letter I receyved from yow, that diſcourſing with zour countrymen upon the matter of Scotland, and commoditeys may enſew to that realm hereafter, giff ze preſently aſſiſt

ws with zour forces, ze find a nombre of the contrary adviſe, doubting that we ſall not at length be found truſty friends, nor mean to contynew in conſtant ametye, albeit we promiſe, but only for avoyding the preſent danger make zou to ſerve our turne, and after being delivered, becum enemies as of before. For profe quhareof, they alledge things that have paſt betwixt ws heretofore, and a few preſumptiones tending to the ſam end, all grounded upon miſtruſt; quhilks, at the firſt ſicht, have ſome ſhewe of appearance, gif men wey not the circumſtances of the matter; but gif they will confer the tyme paſt with the preſent, conſider the nature of this caus, and eſtate of our contrye, I doubt not but jugement ſal be able to baniſh miſtruſt. And firſt, I wad wiſh ze ſhould examyne the cauſes off the old inmitye betwixt the realms of England and Scotland, and quhat moved our anceſtours to enter into ligue with the Frenche; quhilks by our ſtoreys and regiſtres off antiquiteys appear to be theſe. The princes of England, ſome tyme, alledging a certain kynde of ſoyeraintye over this realm; ſome tyme upon hye courage, or incited by incurſions off our bordourares, and ſemblable occaſions, mony tymes enterpriſed the conqueſt of ws, and ſa far furth preiſt it by force off armes, that we were dryven to great extramiteys, by loſs of our princes, our noblemen, and a good part of our cuntrey, ſa that experience taught ws that our owne ſtrength was ſcarſe ſufficient to withſtand the force of England. The Frenche zour auncient enemies, conſidering well how nature had ſa placed ws in a iſland with zow, that na nation was able ſa to annoye England as we being enemyes, ſoucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invaſion of France, and occupy zow in the defence of zour country at hame, offering for that effect to beſtowe ſome charges upon ws, and for compaſſing off theyr purpos, choyſed a tyme to propone the matter, quhen the freſche memory of injuris lately receaved at zour hands, was ſa depely prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourſelfes with the powar of a forayne prince againſt zour enterpriſes thereafter.

THIS was the beginning off our confederacy with France. At quhilk time, our cronicles maks mention, that ſome off the wyſeſt foreſaw the perril, and ſmall frute ſhould redound to us thereof at length: zit had affection ſa blinded jugement, that the adviſe of the maiſt part overcame the beſt. The maiſt part of all quarrells betwixt ws ſince that tyme, at leaſt quhen the provocation came on our ſide, hes ever fallen out by theyr procurement rather than any one caus off our ſelfes: and quhenſaever we brack the peace, it come partly by their intyſements, partly to eſchew the conqueſt intended by that realm. But now hes God's providence ſa altered the caſe, zea changed it to the plat contrary, that now hes the Frenſche taken zour place, and we, off very jugement, becum deſyrous to have zou in theyr rowme. Our eyes are opened, we eſpy how uncareful they have been of our weile at all tymes, how they made we ever to ſerve theyr turne, drew us in maiſt dangerous weys for theyre commodite, and nevertheleſs wad not ſtyck, oft tymes, againſt the natour of the ligue, to contrak peace, leaving ws in weyr. We ſae that their ſupport, off late zeres, wes not grantit for any affection they bare to

ws,

ws, for pytie they had off our eſtate, for recompenſe of the lyke friendſhip ſcawin to theym in tyme off theyr afflictiones, but for ambition, and inſaciable cupiditie to reygne, and to mak Scotland ane accellary to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deſerving; a hale realm for the defence of a part. We ſee theym manifeſtly attempt the thing we ſuſpected off zow; we feared ze ment the conqueſt of Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and ſall we love theym, quhilks bearing the name off frends, go about to bring ws in maiſt vile ſervitude? Gif by zour frendly ſupport at this tyme, ze ſall declare that not only ſeek ze not the ruyne of our country, but will preſerve the libertie thereof from conqueſt by ſtrangeares, ſall not the occaſion off all inimitie with zow, and ligue with theym, be taken away? The cauſes being removed, how ſall the effectes remane? The fear of conqueſt made us to hate zou and love theym, the cais changed, quhen we ſee theym planely attempt conqueſt, and zou ſchaw ws friendſhip, ſall we not hate theym, and favour zow? Gif we have ſchawne ſa great conſtance, continuing za mony zeares in amitie with theym, off quhome we had ſa ſmall commodite, quhat ſall move us to breake with zow, that off all nations may do ws greateſt pleaſour?

But ze will ſay, this matter may be reconcyled and then frends as of before. I think weill peace is the end of all weyr, but off this ze may be aſſured, we will never ſa far truſt that reconciliation, that we will be content to forgo the ametye of England, nor do any thing may bring ws in ſuſpicion with zow. Giff we wold, at any tyme to pleaſe theym, break with zow, ſhould we not, beſydes the loſſe off eſtimation and diſcrediting off ourſelfes, perpetually expone our common weill to a maiſt manifeſt danger, and becum a prey to theyr tyranny? Quhais aid could we implore, being deſtitute of zour friendſhip, gif they off new wald attempt theyr formar enterpriſe? Quhat nation myght help ws giff they wald, or wald giff they myght? And it is like eneuch, thay will not ſtick hereafter to tak theyr tyme off ws, quhen diſpleſour and grudge hes taken depe rute on baith ſydes, ſeeing ambition has ſa impyrit ower theyr reaſon, that before we had ever done any thing myght offend theym, but by the contrary, pleaſed them by right and wrang, they did not ſtick to attempte the ſubverſion of our hale ſtate. I wald ze ſhould not eſteeme ws ſa barayne of jugement, that we cannot foreſee our awne perrils, or ſa fooliſche, that we will not ſtudy by all gode means to entertayne that thing may be our ſafetye; quhilk conſiſtes in all the relaying of zour friendſhips. I pray zow conſider in like caſe, when, in the days of zour princes off maiſt noble memory king Henry the VIII. and king Edward the VI. meanes were opened off amytye betwixt baith realms; was not at all tymes the difference of religion the onley ſtay they were not embraced? Did not the craft of our clergy and power of theyr adherents ſubvert the deviſes of the better ſort? But now has God off his mercy removed that block furth off the way; now is not theyr practice lyke to tak place any mare, when we ar comme to a conformity of doctrine, and profeſs the ſame religion with now, quhilk I

take to be the ſtrayteſt knot off amitye can be deviſed. Giff it may be alledged that ſome of our countrymen at ony tyme violated theyr promis? giff ze liff to way the circumſtances, ze ſall find the promis is rather brought on by neceſſite, after a great overthraw off our men, then comme off fre will, and tending ever to our great incommoditie and decay off our haill ſtate, as leiſ ſa taken. But in this caſe, ſall the preſervation off our libertie be inſeparably joined with the keping off promeſſe, and the violation off our fayth caſt ws in maiſt miſerable ſervitude. So that giff neyther the fear off God, reyetence of man, religion, othe, promiſe, nor warldly honeſtye wes ſufficient to bynd ws, yet ſall the zeale of our native countrey, the maintenance off our own eſtate, the ſafety of our wyffes and childrene from ſlavery, compell ws to kepe promiſe. I am aſſured, it is trewly and ſinterely ment on our part to continew in perpetual ametye with zow; it ſall be uttered by our proceedings. Giff ze be as deſyrous of it as we ar, aſſurances may be devyſed, quharby all partyes will be out of doubte. There be gode meanes to do it, fit inſtruments for the purpos, tyme ſerves weill, the inhabitants of baith realms wiſh it, God hes wrought in the people's hartes on bayth parties a certaine ſtill agreement upon it, never did, at any tyme, ſo mony things concurre at ones to knyt it up, the diſpoſition of a few, quhais harts are in Godis hands, may mak up the hale. I hope he quha hes begun his work, and maintenyed it quhile now, by the expectation of man, ſall perfyte it.

I PRAY zow, let not zour men dryve tyme in conſultation, quhether ze ſall ſupport ws or no. Seying the mater ſpeaketh for itſelf, that ze mon take upon zow the defence of our caus, giff ze have any reſpect for zour awne weill. Their preparatives in France, and levying of men in Germany (quheyroff I am lately advertiſed), ar not altogidder ordeyned for us, ze ar the mark they ſhote at; they ſeke our realme, but for ane entrey to zours. Giff they ſhould directly ſchaw hoſtilitie to zow, they knaw zo wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing, they dare not as zit planely attempte. They ſeme to invade us to th' end that having aſſembled theyr hayle forces ſa nere zour bordours, they may unlok it to attack zow: It is ane of their ald ſetches, making a ſchew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were aſſaizeit, and carried away, ze being in peace as now. How the enterpriſe of Calais was fynely diſſembled, I think ze have not ſa ſone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze ſe not the lyke diſpoſition preſently in theym, ze ſe nathing. It is a groſſe ignorance to miſknaw, what all nations planely ſpeks off. Tak hede ze zay not hereafter, "Had I wiſt;" ane uncomely ſentence to procede off a wyſe man's mouth. That is onwares chanced on to zow, quhilk zow commonly wiſſed, that this countrey myght be divorſed from the Frenſche, and is ſa comme to paſs as was maiſt expedient for zow. For giff by your intyſement we had taken the mater in hand, ze myght have ſuſpected we would have been untruſty frends, and na langer continued ſtedfaſte, then perril had appeared. But now, quhen off our ſelf, we have conceyved the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deſerved our inimityte, let no

man

man dobte but they ſall fynde ws ennemyes in erneſt, that ſa ungently hes demeyned our countrey, and at quhais hands we can look for nathing but all extremitye, giff ever they may get the upper hand. Let not this occaſion, ſa happely offered, eſcape zow: giff ze do, neglecting the preſent opportunitie, and hoping to have ever gode luk comme ſleaping upon zow, it is to be feared zour enemye wixe ſo great, and ſa ſtrang, that afterwards quhen ze wald, ze ſall not be able to put him down; and then, to zour ſmart, after the tyme ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh of overſight, and truſting to zour enemyes promeſſe. We offer zow the occaſion, quheyrby zour former loſſes may be repayred. Quhilk giff ze let over ſlyde, ſuffering ws to be overrun, quha then, I pray zow, ſall ſtay the Frenſche, that they ſall not invade zow in zowr own boundes, ſick it is their luſt to reygne, that they can neither be content with theyr fortune preſent, nor reſt and be ſatisfied when they have gode luck, but will ſtill follow on, having in theyr awne brayne conceaved the image of ſa great a conqueſt, quhat think ye ſall be the end? Is ther any of ſa ſmall jugement, that he doth not forſee already, that theyr hail force ſall then be bent againſt zow?

It ſall not be amis, to conſider in quhat caſe the Frenſche be preſently. Theyr eſtate is not always ſa calm at hame as every man thinketh. And trewly it wes not theyr great redines for weyr made theym to tak this mater on hand, at this tyme, but rather a vayne truſt in their awne policy, thinking to have found na reſiſtance, their opinion hes deceaved theym, and that makes them now amaſed. The eſtates off the empire (as I heare) has ſuted reſtitution off th'imperial towns Metz, Toull, and Verdun, quhilk may grow to ſome beſynes; and all thing is not a calme within theyr awne countrey, the leſs fit they be preſently for weyr, the mare opportune eſteme ye the time for zow. Giff the lyke occaſion were offered to the Frenſche againſt zow, wey, how gladly would they embrace it. Are ze not eſchamed of zour ſleuth, to ſpare theym that hes already compaſſed zour deſtruction, giff theym were able? Conſider with zour ſelf quhilks is to be choyſed? To weyr againſt them out with zour realme or within? Giff quhill ze ſleape, we ſal be overthrowne, then ſall they not fayle to ſute zou in zour awne countrey, and uſe ws as a fote ſtole to overloke zow. But ſome will ſay, perhaps, they meane it not. It is foly to think they wald not giff they were able, quhen before hand they ſtick not to giff zour armes, and uſurpe the ſtyle of zour crown. Then quhat difference there is to camp within zowr awne bounds or without, it is manifeſt. Giff twa armyes ſhould camp with in zowr country, but a moneth, albeit ye receaved na other harme, zit ſhould zowr loſſe be greater, nor all the charge ze will nede to beſtow on our ſupport will draw to, beſydes the diſhonour.

Let not men, that eyther lack gode adviſe, or ar not for particular reſpects weill affected to the caus, move zow to ſubtract zour helping hand, by alleging things not apparent, for that they be poſſible. It is not, I grant, unpoſſible that we may receave conditiones of peace; but I ſee little likelyhode that our ennemyes will offer ws ſik as will remove all miſtruſt, and giff we wald have accepted others, the mater

had

had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our juſt querrell with the name of conſpiracy againſt our ſoverayne. It is hir hyenes right we manetayne. It is the liberty of hir realm we ſtudy to preſerve with the hazard of our lyves. We are not (God knaweth) comme to this poynt for wantones, as men impatient of rewll, or willing to ſchake off the zoke of government, but ar drawne to it by neceſſite, to avoyde the tyranny of ſtrangeares, ſeaking to defraude ws of lawful government. Giff we ſhould ſuffer ſtrangeares to plant themſelffes peaceably in all the ſtrenthes of our realme, fortify the ſeyportes, and maiſt important places, as ane entre to a plain conqueſt, now in the minoritie of our ſoverane, beyng furth of the realme, ſhould we not be thought oncareful off the common weill, betrayares of our native countrey, and evill ſubjects to hir majeſte? Quhat other opinion could ſche have off ws? Might ſhe not juſtly hereafter call ws to accompt, as negligent miniſteres? Giff ſtrangeares ſhould be thus ſuffered to broke the chefe offices, beare the hail rewll, alter and pervert our lawes and liberty at theyr pleaſour; myght not the people eſteem our noblemen unworthy the place of counſalours? We mean na wyſe to ſubtrak our obedience from our ſoverane, to defraud hir hyenes off her dew reverende, rents and revenues off hir crown. We ſeke nathing but that Scotland may remane, as of before, a fre realme, rewlit by hir hyenes and hir miniſteres borne men of the ſame; and that the ſucceſſion of the crown may remane with the lawful blode.

I WALD not ze ſould not ſa lyttil eſteme the friendſhip of Scotland, that ze juged it not worthy to be embraced. It ſall be na ſmall commodite for zow to be delivered off the anoyance of ſo neir a nyghtbour, quhais inimitye may more trouble zow, then off any other nation albeit twyſs as puiſſant, not lyeng dry marche with zow. Beſydes that ſe ſall not nede to feare the invaſion off any prince lackyng the commodite to invade zow by land, on our land. Conſider quhat ſuperfluous charge ze beſtowe on the fortification and keping of Barwick; quhilk ze may reduce to a mean ſowme, having ws to frendes. The realme of Ireland being of natour a gode and fertill countrey, by reaſon off the continewall unquietnes and lak of policey, ze knaw to be rather a burthen unto zow then great advantage; and giff it were peaceable may be very commodious. For pacification quhayroff, it is not unknowne to zow quhat ſervice we are abill to do. Refuſe not theyr commoditeys, beſides mony ma quhen they are offred. Quhilks albeit I ſtudy not to amplify and dilate, yet is na other countrey able to offer zou the lyke, and are the rather to be embraced, for that zour aunceſtors, by all meanes, maiſt ernestly ſuted our amity, and yet it was not theyr hap to come by it. The mater hes almaiſt carried me beyond the boundes of alattre, quharfor I will leave to trouble zow after I have given you this note. I wald wiſs that ze, and they that ar learned, ſould rede the twa former orations of Demoſthenes, called Olynthyacæ, and conſidere quhat counſill that wyſe oratour gave to the Athenians, his countrymen, in a lyke caſe; quhilk hes ſo great affinite with this cauſe of ours, that every word thereof myght be applyed to our purpos. There may ze learne of

him

him quhat advise is to be followed, when your nyghtbours hous is on fyre. Thus I bid zow heartily farewell. From Saint Andrews, the 20th of January 1559.

No. III. (p. 137.)

Part of a letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April 1560.

[An original in the Paper-office.]

I WILL only, for this time, discharge myself of my promise to the earl of Huntly, who so desyreth to be recommended to you, as one, who, with all his heart, favoureth this cause, to the uttermost of his power. Half the words that come out of his mouth were able to persuade an unexperienced man to speak farther in his behalf, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts, as he shall deserve to be spoken of. With much difficulty, and great persuasion, he hath subscribed with the rest of the lords to join with them in this action; whatsomever he can invent to the furtherance of this cause, he hath promised to do with solemn protestation and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie where he taketh part. He hath this day subscribed a bond between England and this nation; he saith, that there was never thing that liked him better.

No. IV. (p. 145.)

Randolph to Cecil, 10th August 1560. *From Edinburgh.*

[An original in the Paper-office.]

SINCE the 29th of July, at what time I wrote last to your honour, I have heard of nothing worth the reporting. At this present it may please you to know, that the most part of the nobles are here arrived, as your honour shall receive their names in writing. The earl of Huntly excuseth himself by an infirmity in his leg. His lieutenant for this time is the lord of Lidington, chosen speaker of the parliament, or harangue-maker as these men term it. The first day of their sitting in parliament will be on Thursday next. Hitherto as many as have been present of the lords have communed and devised of certain heads then to be propounded, as, who shall be sent into France, who into England. It is much easier to find them than the other. It seemeth almost to be resolved upon that for England the master of Maxwell, and laird of Lidington. For France Pittarow and the justice clerk. Also they have consulted whom they think meetest to name for the XXIV. of the which the XII. counsellors must be chosen. They intend very shortly to send away Dingwall the herald into France, with the names of those they shall chuse; and also to require the king and queen's consent unto this parliament. They have devised how to have the contract with England confirmed by authority of parliament; how also to have the articles

of

of the agreement between them and their king and queen ratified. These things yet have only been had in communication. For the confirmation of the contract with England I have no doubt; for that I hear many men very much like the same, as the earl of Athol, the earl of Sutherland, the l. Glamis, who dined yesterday with l. James. The lord James requested me this present day to bring the contract unto him. I intend, also, this day, to speak unto the l. Gray, in our l. Gray's name, for that he promised in my hearing to subscribe, and then presently would have done it, if the contract could have been had. For the more assurance against all inconvenients, I would, besides that, that I trust it shall be ratified in parliment, that every nobleman in Scotland had put his hand and set his seal, which may always remain as a notable monument, tho' the act of parliament be hereafter disannulled. If it might, therefore, stand with your advice, that the lords might be written unto, now that they are here present, to that effect, or that I might receive from your hon'. some earnest charge to travel herein, I doubt not but it would serve to good purpose. If it might be also known with what substantial and effectious words or charge you desire to have it confirmed, I think no great difficulty would be made. The earl marshal has often been moved to subscribe, he useth mo delays than men judged he would. His son told me yesterday, that he would speak with me at leisure, so did also Drumlanrick; I know not to what purpose: I have caused l. James to be the earnester with the l. marshal, for his authority's sake, when of late it was in consultation by what means it might be wrought, that the amity between these two realms might be perpetual; and among diverse men's opinion, one said that he knew of no other, but by making them both one, and that in hope of that mo things were done, than would otherwise have ever been granted; the earl of Argyll advised him earnestly to stick unto that, that he had promised, that it should pass his power and all the crafty knaves of his counsel (I am bold to use unto your h. his own words), to break so godly a purpose. This talk liked well the assisters, howsomever it pleased him to whom it was spoken unto. The barons, who in time past have been of the parliament, had yesterday a convention among themselves in the church, in very honest and quiet sort; they thought it good to require to be restored unto their ancient liberty, to have voice in parliament. They presented that day a bill unto the lords to that effect, a copy whereof shall be sent as soon as it can be had. It was answered unto gently, and taken in good part. It was referred unto the lords of the articles, when they are chosen, to resolve thereupon.——*Here follows a long paragraph concerning the fortifications of Dunbar, &c.*——This present morning, *viz.* the 9th, I understood, that the lords intended to be at the parliament, which caused me somewhat to stay my letter, to see what I could hear or learn worth the reporting unto your hon'. The lords, at ten of the clock, assembled themselves at the palace, where the duke lieth; from whence they departed towards the Tolbooth, as they were in dignity. Each one being set in his seat, in such order as your h. shall receive them in this scroll. The crown, the mace, the sword, were laid in the queen's seat. Silence being commanded, the

l. of

l. of Lidington began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past, and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much he were bound heartily to acknowledge it, and to requite it. He took away the persuasion that was in many men's mind that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body. —— He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed: It was thought necessary, that the articles of the peace should be confirmed with the common consent, for that it was thought necessary to send them away with speed into France, and to receive the ratification of them as soon as might be. The articles being read, were immediately agreed unto: A day was appointed to have certain of the nobles subscribe unto them, and to put their seals, to be sent away by a herald, who shall also bring the ratification again with him. The barons, of whom I have above written, required an answer to their request; somewhat was said unto the contrary. The barons alleged for them custom and authority. It was in the end resolved, that there should be chosen six to join with the lords of the articles, and that if they, after good advisement, should find it right and necessary for the commonwealth, it should be ratified at this parliament for a perpetual law. The lords proceeded immediately hereupon, to the chusing of the lords of the articles. The order is, that the lords spiritual chuse the temporal, and the temporal the spiritual, and the burgesses their own. There were chosen as in this other paper I have written. This bring done, the lords departed and accompanied the duke, all as far as the Bow (which is the gate going out of the high street), and many down into the palace where he lieth. The town all in armour, the trumpets sounding, and other music such as they have. Thus much I report unto your honour of that I did both hear and see. Other solemnities have not been used, saving in times long past the lords have had parliament robes, which are now with them wholly out of use.

THE names of as many earls and lords spiritual and temporals as are assembled at this parliament.

The duke of Chatelherault.

Earls.	Lords.	Lords Spiritual.
Arran.	Erskine.	St. Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindsey.	Athens.
Crawford.	Somerville.	The bishop of the Isles.
Cassils.	Cathcart.	Abbots and Priors I know
Marshall.	Hume.	not how many.
		Morton.

Morton.	Livingſton.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Caithneſs.	Ogilvy.	
Rothes.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	Gordon.	

The Lords of the Articles.

Spiritual.	Temporal.	Barons elected to be of the Articles.
Athens.	The Duke.	Maxwell.
Iſles.	Argyll.	Tillibardine.
Lord James.	Marſhall.	Cunninghamhead.
Arbroath.	Athole.	Lochenwar.
Newbottle.	Morton.	Pitarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provoſts of the chief
Kinroſs.	Erſkine.	towns, which alſo are of
Kilwinning.	Boyd.	the Articles.
	Lindſay.	

So that with the Subprior of St. Andrews, the whole is 36.

It were too long for me to rehearſe particularly the diſpoſition, and chiefly the affections of theſe men, that are at this time choſen lords of the articles. May it ſatisfy your honr. for this time to know that, by the common opinion of men, there was not a ſubſtantialler or more ſufficient number of all ſorts of men choſen in Scotland theſe many years, nor of whom men had greater hope of good to enſue. This preſent morning, viz. the 10th, the l. of Lidington made me privy unto your letter; he intendeth, as much as may be, to follow your advice. Some hard points there are. He himſelf is determined not to go into France. He allegeth many reaſons, but ſpeaketh leaſt of that, that moveth him moſt, which is the example of the laſt, that went on a more grateful meſſage than he ſhall carry, and ſtood on other terms with their prince than he doth, and yet your honour knoweth what the whole world judgeth.

Petition of the Leſſer Barons to the Parliament, held Aug. 1560.

[Inclosed in Randolph's letter to Cecil, 15th Aug. 1560.]

My lords, unto your lordſhips, humbly means and ſhows, we the barons and freeholders of this realm, your brethren in Chriſt, That whereas the cauſes of true religion, and common well of this realm, are, in this preſent parliament, to be treated, ordered, and eſtabliſhed, to the glory of God, and maintenance of the commonwealth; and we being the greateſt number in proportion, where the ſaid cauſes concern, and has been, and yet are ready to bear the greateſt part of the charges thereuntil, as well in peace as in war, both with our bodies and with our goods; and ſeeing there is no place where we may do better ſervice now than in general councils

and

and parliaments, in giving our beſt advice and reaſon, vote and councell for the furtherance thereof, for the maintenance of virtue and puniſhment of vice, as uſe and cuſtom had been of old by ancient acts of parliament obſerved in this realm; and whereby we underſtand that we ought to be heard to reaſon and vote in all cauſes concerning the commonwealth, as well in councils as in parliaments; otherwiſe we think that whatſomever ordinances and ſtatutes be made concerning us and our eſtate, we not being required and ſuffered to reaſon and vote at the making thereof, that the ſame ſhould not oblige us to ſtand thereto. Therefore it will pleaſe your lordſhips to take conſideration thereof, and of the charge born, and to be born by us, ſince we are willing to ſerve truly to the common well of this realm, after our eſtate, that ye will, in this preſent parliament, and all counſells, where the common well of the realm is to be treated, take our advice, counſell, and vote, ſo that, without the ſame, your lordſhips would ſuffer nothing to be paſſed and concluded in parliament or councils aforeſaid; and that all acts of parliament made, in times paſt, concerning us for our place and eſtate, and in our favour, be at this preſent parliament confirmed, approved, and ratified, and act of parliament made thereupon. And your lordſhips anſwer humbly beſeeches.

Of the ſucceſs of this petition, the following account is given by Randolph; Lett. to Cecill, 19 Aug. 1560. The matters concluded and paſt by common conſent on Saturday laſt, in ſuch ſolemn ſort as the firſt day that they aſſembled, are theſe: Firſt, that the barons according to an old act of parliament, made in the time of James I. in the year of God 1427, ſhall have free voice in parliament, this act paſſed without any contradiction.

No. V. (p. 151.)

A letter of Thomas Randolph, the Engliſh reſident, to the right worſhipful Sir William Cecil, knt. principal ſecretary to the queen's majeſty.

[9 Aug. 1561. Cott. Libr. Calig. B. ix. fo. 32.]

I HAVE received your honour's letters of the firſt of this month, written at Ofyes in Eſſex; and alſo a letter unto the lord James, from his kinſman St. Come out of France, in this they agree both that the queen of Scotland is nothing changed of her purpoſe in home coming. I aſſure your honour that will be a ſtout adventure for a ſick craſed woman, that may be doubted as well what may happen unto her upon the ſeas, as alſo how heartily ſhe may be received when ſhe cometh to land of a great number, who are utterly perſuaded that ſhe intendeth their utter ruin, come when ſhe will; the preparence is very ſmall whenſoever that ſhe arrive, ſcarcely any man can be perſuaded that ſhe hath any ſuch thought in her head. I have ſhown your honour's letters unto the lord James, lord Morton, lord Lidington; they wiſh, as your honour doth, that ſhe might be ſtayed yet for a ſpace, and if it were not for their obedience ſake, ſome of them care not tho' they never ſaw her face. They travel what they can to prevent the wicked devices of theſe miſchievous purpoſes of her

her miniſters, but I fear that that will always be found that filij hujus ſeculi, they do what they can to ſtand with the religion, and to maintain amity with their neighbours; they have alſo need to look unto themſelves, for their hazard is great, and that they ſee there is no remedy nor ſafety for themſelves, but to repoſe themſelves upon the queen's majeſty, our ſovereign's favour and ſupport. Friends abroad they have none, nor many in whom they may truſt at home. There are in mind ſhortly to try what they may be aſſured at of the queen's majeſty, and what they may aſſuredly perform of that they intend to offer for their parties. This the queen of Scotland above all other things doubteth; this ſhe ſeeketh by all means to prevent; and hath cauſed St. Come, in her name, earneſtly to write to charge him that no ſuch things be attempted before her coming home; for that it is ſaid, that they too already arrived here out of England for the purpoſe, what ſemblant ſomever the noblemen do make, that they are grieved with their queen's refuſal, that cometh far from their hearts. They intend to expoſtulate with me hereupon. I have my anſwer ready enough for them. If ſhe thruſt all Engliſhmen out of this country, I doubt not but there will be ſome of her own that will bear us ſome kindneſs. Of me ſhe ſhall be quit, ſo ſoon as it pleaſeth the queen's majeſty my miſtreſs no longer to uſe my ſervice in this place. By ſuch talk, as I have of late had with the lord James and lord of Lidington, I perceive that they are of mind that immediately of the next convention, I ſhall repair towards you with their determinations, and reſolutions, in all purpoſes, wherein your honour's advice is earneſtly required, and ſhortly looked for. Whatſomever I deſire myſelf, I know my will ought to be ſubject unto the queen my ſovereign's pleaſure, but to content myſelf, would God I were ſo happy as to ſerve her majeſty in as mean a ſtate as ever poor gentleman did, to be quit of this place; not that I do in my heart wax weary of her majeſty's ſervice, but becauſe my time and years require ſome place of more repoſe and quietneſs than I find in this country. I doubt alſo my inſufficience when other troubles in this country ariſe, or ought ſhall be required of me to the advancement of her majeſty's ſervice, that either my will is not able to compaſs, or my credit ſufficient to work to that effect, as perchance ſhall be looked for at my hands. As your honour hath been a means of my continuance in this room, ſo I truſt that I ſhall find that continual favour at your hands, that ſo ſoon as it ſhall ſtand with the queen's majeſty's pleaſure, I may give this place unto ſome far worthier than I am myſelf, and in the mean ſeaſon, have my courſe directed by your good advice how I may by my contrivance do ſome ſuch ſervice, as may be agreeable to her majeſty's will and pleaſure.

THESE few words, I am bold to write unto your honour of myſelf. For the reſt, where that is wiſhed that the lords will ſtoutly continue yet for one month, I aſſure your honour that there is yet nothing omitted of their old and accuſtomed manner of doing, and ſeeing that they have brought that unto this point, and ſhould now prevail, they were unworthy of their lives.

I FIND not that they are purpoſed ſo to leave the matter. I doubt more her money than I do her fair words; and yet can I not conceive

ceive what great things can be wrought with forty thousand crowns, and treasure of her own here I know there is no sure or ready means to get it. The lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to satisfy your desire, in knowledge of the present state of things here. Whatsomever cometh of that, he findeth it ever best, that she come not; but if she do come, to let her know, at the first, what she shall find, which is due obedience, and willing service, if she embrace Christ, and desire to live in peace with her neighbours. By such letters as you have last received, your honour somewhat understandeth of Mr. Knox himself, and also of others, what is determined, he himself to abide the uttermost, and other never to leave him until God have taken his life, and thus together with what comfort somever it will please you to give him by your letters, that the queen's majesty doth not utterly condemn him, or at the least in that point, that he is so sore charged with by his own queen, that her majesty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others; his daily prayer is for the maintenance of unity with England, and that God will never suffer men to be so ungrate, as by any persuasion to run headlong unto the destruction of them, that have saved their lives, and restored their country to liberty. I leave further, at this time, to trouble your honour, desiring God to send such an amity between these two realms that God may be glorified to them of this world.—At Edenburgh the 9th of August 1561.

No. VI. (p. 157.)

A letter of Queen Elizabeth to Queen Mary *.

[16th of Aug. 1561. Paper-office, from a copy.]

To the right excellent, right high and mighty princesse, our right dear and well-beloved sister and cousin the queen of Scotland.

RIGHT excellent, right high, and mighty princesse, our right dear and right well-beloved sister and cousin, we greet you well. The Lord of St. Cosme brought to us your letters, dated the 8th of this present at Abbeville, whereby ye signify, that although by the answer brought to you by monsieur Doyzell, ye might have had occasion to have entered into some doubt of our amity, yet after certain purposes passed betwixt you and our ambassador, you would assure us of your good meaning to live with us in amity, and for your purpose therein ye require us to give credit to the said St. Cosme. We have thereunto thought good to answer as followeth: The same St. Cosme hath made like declaration unto us on your part, for your excuse in not ratifying the treaty, as yourself made to our ambassador, and we have briefly answered to every the same points, as he can shew you: and if he shall not so do, yet least in the mean season you might be inducted to think that your reasons has satisfied us, somerally we assure you,

* This is the complete paper of which that industrious and impartial collector, bishop Keith, has published a fragment, from what he calls his shattered MS. 154. note (a) 181.

that to our requests your answer cannot be reputed for a satisfaction. For we require no benefit of you, but that you will perform your promise whereunto you are bound by your seal and your hand, for the refusal whereof we see no reason alledged can serve. Neither covet we any thing, but that which is in your own power as queen of Scotland, that which yourself in words and speech doth confess, that which your late husband's our good brother's ambassadors and you concluded, that which your own nobility and people were made privy unto, that which indeed made peace and quietness betwixt us, yea that without which no perfect amity can continue betwixt us, as if it be indifferently weighed, we doubt not but ye will perceive, allow, and accomplish. Nevertheless, perceiving by the report of the bringer, that you mean furthwith upon your coming home, to follow herein the advice of your council in Scotland, we are content to suspend our conceipt of all unkindness, and do assure you that we be fully resolved, upon this being performed, to unite a sure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as assuredly in the knot of friendship, as we be in the knot of nature and blood. And herein we be so earnestly determined, that the world should see if the contrary should follow (which God forbid), the very occasion to be in you and not in us; as the story witnesseth the like of the king your father, our uncle, with whom our father sought to have knit a perpetual bond by inviting to come in this realm to York, of which matter we know there remain with us, and we think with you, sundry witnesses of our father's earnest good meaning, and of the error whereunto divers evil councillors induced your father; or finally where it seemeth that report had been made unto you, that we had sent our admiral to the seas with our navy to impeche your passage, both your servants do well understand how false that is, knowing for a truth that we have not any more than two or three small barks upon the seas, to apprehend certain pirates, being thereto entreated, and almost compelled, by the earnest complaint of the ambassador of our good brother the king of Spain, made of certain Scottishmen haunting our seas as pirates, under pretence of letters of marque, of which matter also we earnestly require you, at your coming to your realme, to have some good consideration, and the rather for respect that ought to be betwixt your realme and the countries of us, of France, of Spain, and of the house of Burgundy. And so, right excellent, right high and mighty princess, we recommend us to you with most earnest request, not to neglect these our friendly and fisterly offers of friendship, which, before God, we mean and intend to accomplish. Given under our signet at Heyningham the 16th of August, in the third year of our reign.

No. VII. (p. 177.)

A letter of Randolph to the right honourable Sir William Cecil, knight, principal secretary to the queen's majesty.

[15th of May 1563. Paper-office, from the original.]

OF late, until the arrival of monsieur Le Croc, I had nothing worth the writing unto your honour. Before his coming we had so little to think upon that we did nothing but pass our time in feasts, banquetting,

ting, masking, and running at the ring, and such like. He brought with him such a number of letters, and such abundance of news, that, for the space of three days, we gave ourselves to nothing else but to reading of writings, and hearing of tales, many so truly reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the most assured, I send this unto your honour as an undoubted truth, which is, that the cardinal of Lorraine, at his being with the emperor, moved a marriage between his youngest son, the duke of Austreche, and this queen; wherein he hath so far travelled, that it hath already come unto this point, that if she find it good, the said duke will out of hand send hither his ambassador, and farther proceed to the consummation hereof, with as convenient speed as may be; and to the intent her mind may be the better known, Le Croc is sent unto her with this message from the cardinal, who hath promised unto the emperor, to have word again before the end of May; and for this cause Le Croc is ready for his departure, and his letters writing both day and night. This queen being before advertised of his towardness, by many means hath sought far off, to know my lord of Murray's mind herein, but would never so plainly deal with him, that he could learn what her meaning is, or how she is bent. She useth no man's counsel, but only this man's that last arrived, and assuredly until the l. of Lidington's return, she will do what she can to keep that secret; and because resolution in his absence cannot be taken, she will, for this time, return Le Croc with request, to have longer time to devize; and after, with the most speed she can, she fully purposeth to advertize him, I mean, her uncle the cardinal, of her mind. Of this matter the l. of Lidington is made privy. I know not whether by some intelligence that he had before his departure, or since his arrival in France, divers letters have passed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to some, as much as was written in sypher is kept unto themselves. Whether also the l. of Lidington hath had conference with the Spanish ambassador in England of this matter, or any like, I leave it unto your honour's good means, to get true knowledge thereof. Guesses or surmizes in so grave matters, I would be loath to write for verities. This also your honour may take for truth, that the emperor hath offered with his son, for this queen's dower, the county of Tyroll, which is said to be worth 30,000 franks by year. Of this matter also the rhingrave wrote a letter unto this queen, out of France not long since. This is all that presently I can write unto your honour hereof; as I can come by farther knowledge, your honour shall be informed.

I HAVE received your honour's writings by the Scottish man that last came into these parts; he brought also letters unto this queen from the l. of Lidington; their date was old, and contained only the news of France. I perceive divers ways, that Newhaven is sorre closed, but I am not so ignorant of their nature, but that I know they will say as much as they dare do, I will not say as the proverb doth, 'canis timidus fortius latrat.' From hence I do assure them, what means somever they make, or how pitiful somever their mone be they,

are like to receive but ſmall comfort for all their long allie. We ſtand daily in doubt what friendſhip we ſhall need ourſelf, except we put better order unto our miſruled papiſts, than yet we do, or know how to bring to paſs that we may be void of their comber.

To-morrow, the 15th of this inſtant, the queen departeth of this town, towards Edenburgh. If my hap be good, you ſhall thoroughly hear ſome merry tidings of the Bp. of St. Andrews; upon Wedneſday next he ſhall be arraigned, and five other prieſts, for their maſſing at Eaſter laſt. Thus moſt humbly I take my leave; at St. Andrews the 15th of May, 1563.

No VIII. (p. 183.)

Letter of Randolph to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty.

[20th of April 1563. Paper-office, from the original in his own hand.]

MAY it pleaſe your honour, the 7th of this inſtant, Rowlet, this queen's ſecretary, arrived here; he reporteth very honeſtly of his good uſage, he brought with him many letters unto the queen that came out of France, full of lamentation and ſorrow. She received from the queen mother two letters, the one contained only the rehearſal of her griefs, the other ſignify the ſtate of France as then it was, as in what ſort things were accorded, and what farther was intended for the appeaſing of the diſcords there, not miſtruſting but that if reaſon could not be had at the queen of England's hands, but that the realm of France ſhould find her ready and willing to ſupport and defend the right thereof, as by friendſhip and old alliance between the two realms ſhe is bound.

How well theſe words do agree with her doings your honour can well conſider, and by her writings in this ſort unto this queen (which I aſſure your honour is true), you may aſſuredly know, that nothing ſhall be left undone of her part, that may move debate or controverſie between this queen and our ſovereign.

IT was much muſed by the queen herſelf, how this new kindneſs came about, that at this time ſhe received two long letters written all with her own hand, ſaying, all the time ſince her return ſhe never received half ſo many lines as were in one of the letters, which I can myſelf teſtify by the queen's own ſaying, and other good aſſurance, where hitherto I have not been deceived. I can alſo farther aſſure your honour, that this queen hath ſayed that ſhe knoweth now, that the friendſhip of the queen's majeſty my ſovereign may ſtand her more in ſtead than that of her good mother in France, and as ſhe is deſirous of them both, ſo will ſhe not loſe the one for the other. I may alſo farther aſſure your honour, that whatſoever the occaſion is, this queen hath ſomewhat in her heart that will burſt out in time, which will manifeſt that ſome unkindneſs hath paſſed between them, that will not be eaſy forgotten. In talk ſometimes with myſelf, ſhe ſaith that the queen mother might have uſed the matter otherwiſe than ſhe hath done, and doth much doubt what ſhall be the ſucceſs of her great deſire to govern alone, in all things to have her will. Seeing then that preſently they ſtand in ſuch terms one with the other, I tho's

it better to confirm her in that mind (this queen I mean), than to ſpeak any word that might cauſe her to conceive better of the other. And yet I am aſſured ſhe ſhall receive as friendly letters, and as many good words from this queen, as ſhe other did write unto her. Whether the queen mother will ſpeak any thing unto the l. of Lidington of that purpoſe ſhe did write unto this queen of, I know not; but if ſhe do, I think it hard if your honour can get no favour thereof, at his return, or I perchance by ſome means here. It may perchance be written only by that queen, to try what anſwer this queen will give, or underſtand what mind ſhe beareth unto the queen's majeſty our ſovereign. The queen knoweth now that the earl Bothwell is ſent for to London. She cauſed a gentleman of hers to enquire the cauſe; I anſwered that I knew none other, but that his takers were in controverſy who took him, and that it ſhould be judged there. I know that ſhe thinketh much that he is not ſent into Scotland. It is yet greatly doubted that if he were here, he would be reſerved for an evil inſtrument. If the lord of Lidington have not been plain with your honour herein, he is in the wrong to thoſe who are his friends here, but moſt of all to himſelf. There comes a vulture in this realm, if ever that man come again into credit.

No. IX. (p. 188.)

The oration made by William Maitland of Lethington, younger ſecretary for the time, in the parliament holden by our ſovereign the king's mother, queen of this realm for the time, the time of the reſtitution of Umquile Matthew earl of Lenox.

MY lords, and others here convened. Albeit, be that it has pleaſed her majeſty moſt graciouſly to utter unto you, by her own mouth, ye may have ſufficiently conceived the cauſe of this your preſent aſſembly; yet having her majeſty's commandment to ſupply my lord chancellor's place, being preſently as ye ſee deceaſed, I am willed to expreſs the ſame ſomewhat more at large.

NOTOUR it is, how in her highneſs's minority, a proceſs of forfaultour was decreed againſt my lord of Lennox, for certain offences alledged committed by him; ſpecified in the dome and tenſements of parliament given thereupon; by reaſon whereof he has this long time been exiled, and abſent forth of his native country; how grievous the ſame has been unto him, it has well appeared by divers his ſuites, ſundry ways brought unto her majeſty's knowledge, not only containing moſt humble and due ſubmiſſion, but always bearing witneſs of his good devotion to her majeſty, his natural proneſs, and earneſt affection he had to her highneſs moſt humble ſervice, if it ſhould pleaſe her majeſty of her clemency to make him able to enjoy the benefit of a ſubject; many reſpects might have moved her highneſs favourably to incline to his requeſt, as the anciency of his houſe, and the ſirname he bears, the honour he has to appertain to her majeſty by affinity, by reaſon of my lady Margaret, her highneſs's aunt, and divers other his good conſiderations, as alſo the affectuous requeſt of her good ſiſter the queen's majeſty of England, whoſe earneſt commendation

was not of leaſt moment, beſides that of her own natural, her majeſty has a certain inclination to pity the decay of noble houſes, and as we heard, by her own report, has a great deal more pleaſure to be the inſtrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter miniſtered of the decay or overthrow of any good race. Upon this occaſion, her majeſty the more tenderly looked upon his requeſt, and her good ſiſter the queen of England's favourable letter, written for recommendation of his cauſe, in conſideration whereof not only has ſhe granted unto him her letter of reſtitution, by way of grace, but alſo licenſed him to purſue, by way of reduction, the remedies provided by the law for ſuch as think themſelves grieved by any judgment, unorderly led, and to have the proceſs reverſed; for examination whereof, it has pleaſed her majeſty preſently to aſſemble you the three eſtates of this her realme, by whoſe advice, deliberation, and deciſion at her majeſty's mind, to proceed forward upon his complaints, as the merits of the cauſe, laws of the realme, and practice obſerved in ſuch caſes, will bear out. The ſum of all your proceedings at this time, being by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occaſion to ſay a few more words, not far different from the ſame ſubject, wherein I would extend the circumſtances more largely. If I feared not to offend her highneſs, whoſe preſence and modeſt nature abhors long ſpeaking and adulation, and ſo will compel me to ſpeak ſuch things, as may ſeem to tend to any good and perfect point; and leſt it ſhould be compted to me, as that I were oblivious, if I ſhould omit to put you in remembrance, in what part we may accept this, and the like demonſtrations of her gentill nature; whoſe gracious behaviour towards all her ſubjects, in general, may ſerve for a good proof of that felicity, we may look for under her happy government ſo long as it ſhall pleaſe God to grant her unto us; for a good harmony to be had in the common weill, the offices between the prince and the ſubjects muſt be reciproque; as by her majeſty's prudence we enjoy this preſent peace with all foreign nations, and quietneſs among yourſelves, in ſuch ſort, that I think juſtly it may be affirmed Scotland, in no man's age, that preſently lives, was in greater tranquillity; ſo is it the duty of all us her loving ſubjects to acknowledge the ſame as a moſt high benefit, proceeding from the good government of her majeſty, declaring ourſelves thankful for the ſame, and rendering to her majeſty ſuch due obedience, as a juſt prince may look for at the hands of faithful and obedient ſubjects. I mean no forced nor unwilling obedience, which I know her nature does deteſt, but ſuch as proceeds from the contemplation of her modeſt kind of regiment, will for love and duty ſake produce the fruits thereof. A good proof have we all in general had of her majeſty's benignity theſe three years, that ſhe has lived in the government over you, and many of you have largely taſted of her large liberality and frank dealing; on the other part her highneſs has had large appearance of your dutiful obedience, ſo it becomes you to continue, as we have begun, in conſideration of the many notable examples of her clemency above others her good qualities, and to abhor and deteſt all falſe brutes and rumours, which are the moſt peſtilent evils that can

be

be in any common weill, and the fowers and inventors thereof. Then may we be well assured to have of her an most gracious princesse, and she most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I made mention before, as the glory thereof shall partly appertain to her majesty, so shall no small praise and unspeakable commodity redound therethrough to you all universally her subjects.

No. X. (p. 194.)

The perils and troubles that may presently ensue, and in time to come follow, to the queen's majesty of England, and state of this realm, upon the marriage of the queen of Scots to the lord Darley.

FIRST, the minds of such as be affected to the queen of Scots, either for herself or for the opinion of her pretence to this crown, or for the desire to have change of the forme of religion in this realm, or for the discontentation they have of the queen's majesty, or her succession, or of the succession of any other beside the queen of Scots, shall be, by this marriage, erected, comforted, and induced to devise and labour how to bring their desires to pass; and to make some estimate what persons those are, to the intent the quantity of the danger may be weighed; the same may be compassed in those sorts either within the realme or without.

THE first are such as are specially devoted to the queen of Scotts, or to the lord Darley, by bond of blood and alliance; as first, all the house of Lorrain and Guise for her part, and the earl of Lennox and his wife, all such in Scotland as be of their blood, and have received displeasures by the duke of Chatelherault and the Hamiltons. The second are all manner of persons, both in this realme and other countries that are devoted to the authority of Rome, and mislike of the religion now received; and in these two sorts are the substance of them comprehended, that shall take comfort in this marriage.

NEXT therefore to be considered what perils and troubles these kind of men shall intend to this realm.

FIRST, the general scope and mark of all their desires is, and always shall be, to bring the queen of Scotts to have the royal crown of this realm; and therefore, though the devisers may vary amongst themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the queen's majesty's actions and governments, yet all their purposes, drifts, devises, and practices, shall wholly and only tend to make the queen of Scotts queen of this realm, and to deprive our sovereign lady thereof; and in their proceedings, there are two manners to be considered, whereof the one is far worse than the other; the one is intended by them, that either from malicious blindnes in religion, or for natural affection to the queen of Scotts, or the lord Darley, do persuade themselves that the said queen of Scotts hath presently more right to the crown than our sovereign lady the queen, of which sort be all their kindred on both sides, and all such as are devoted to popery, either in England, Scotland, Ireland, or elsewhere;

where; the other is meant by them, which, with leſs malice are perſuaded that the queen of Scotts hath only right to be the next heir to ſucceed the queen's majeſty and her iſſue, of which ſort few are without the realm, but here within, and yet of them, not ſo many as are of the contrary, and from theſe two ſorts ſhall the peril, deviſe, and practices proceed. From the firſt, which imagine the queen of Scotts to have perpetually right are to be looked for theſe perils. Firſt, is it to be doubted the devil will infect ſome of them to imagine the hurt of the life of our dear ſovereign lady, by ſuch means as the devil ſhall ſuggeſt to them, although it is to be aſſuredly hoped, that Almighty God will, as he hath hitherto, graciouſly protect and preſerve her from ſuch dangers? Secondly, there will be attempted, by perſuaſions, by bruits, by rumours, and ſuch like, to alienate the minds of good ſubjects from the queen's majeſty, and to conciliate them to the queen of Scotts, and on this behalf the frontiers and the north will be much ſolicited and labored. Thirdly, there will be attempted cauſes of ſome tumults and rebellions, eſpecially in the north towards Scotland, ſo as thereupon may follow ſome open enterpriſe ſet by violence. Fourthly, there will be, by the ſaid queen's council and friends, a new league made with France, or Spain, that ſhall be offenſive to this realm, and a furtherance to their title. And as it is alſo very likely, that they will ſet a foot as many practices as they can, both upon the frontiers and in Ireland, to occaſion the queen's majeſty to increaſe and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all theſe things, many deviſes will be imagined from time to time, and no negligence will therein appear.

FROM the ſecond ſort, which mean no other favour to the queen of Scotts, but that ſhe ſhould ſucceed in title to the queen's majeſty, is not much to be feared, but that they will content themſelves to ſee not only the queen's majeſty not to marry, and ſo to impeach it, but to hope, that the queen of Scotts ſhall have iſſue, which they will think to be more pleaſable to all men, becauſe thereby the crowns of England and Scotland ſhall be united in one, and thereby the occaſion of war ſhall ceaſe; with which perſuaſion many people may be ſeduced, and abuſed to incline themſelves to the part of the queen of Scotts.

THE remedies againſt theſe perils.

A Duplicat.

A ſummary of the conſultation and advice given by the lords and others of the privy council, collected out of the ſundry and ſeveral ſpeeches of the ſaid counſellors.

[4th of June 1563. Cott. Lib. Cal. b. 10. fol. 290.]

Lord Keeper,
Lord Treaſurer,
Earls of { Derby, Bedford, Leiceſter,
Lord Admiral.
Lord Chamberlain,
Mr. Comptroller,
Mr. Vice Chamberlain,
Mr. Secretary,
Cave,
Peter,
Maſon.

Queſtions

Queſtions propounded were theſe two.

1. FIRST, what perils might enſue to the queen's majeſty, or this realm, of the marriage betwixt the queen of Scotts, and the lord Darnley.

2. WHAT were meet to be done, to avoid or remedy the ſame.

To the First.

THE perils being ſundry, and very many, were reduced by ſome counſellors into only one.

1. FIRST, That by this marriage, the queen of Scotts (being not married), a great number in this realm not of the worſt ſubjects might be alienated in their minds from their natural duties to her majeſty, to depend upon the ſucceſs of this marriage of Scotland, as a mean to eſtabliſh the ſucceſſion of both the crowns in the iſſue of the ſame marriage, and ſo favour all deviſes and practices, that ſhould tend to the advancement of the queen of Scotts.

2. SECONDLY, That conſidering the chief foundation of them, which furthered the marriage of lord Darnley, was laid upon the truſt of ſuch as were papiſts, as the only means left to reſtore the religion of Rome, it was plainly to be ſeen, that both in this realm and Scotland, the papiſts would moſt favour, maintain, and fortify this marriage of the lord Darnley, and would, for furtherance of faction in religion, deviſe all means and practices that could be within this realm, to diſturb the eſtate of the queen's majeſty, and the peace of the realm, and conſequently to atchieve their purpoſes by force rather than fail. By ſome other, theſe perils having indeed many branches, were reduced, though ſomewhat otherwiſe, into two ſorts, and theſe were in nature ſuch as they could not be eaſily ſevered the one from the other, but were knit and linked together, naturally for maintaining the one with the other. The firſt of theſe ſort of perils was, that, by this marriage with the lord Darnley, there was a plain intention to further the pretended title of the queen of Scotts, not only to ſucceed the queen's majeſty, as in her beſt amity ſhe had profeſſed, but that to occupy the queen's eſtate, as when ſhe was in power, ſhe did manifeſtly declare.

THE ſecond was, that hereby the Romiſh religion ſhould be erected, and increaſed daily in this realm, and theſe two were thus knit together, that the furtherance and maintenance of the title ſtaid, in furthering of the religion of Rome within this realm; and in like manner the furtherance of the ſame religion ſtood by the title, for otherwiſe the title had no foundation.

PROOFS of the firſt.) And to prove that the intention to advance the title to diſturb the queen's majeſty, muſt needs enſue, was conſidered that always the intention and will of any perſon is moſt manifeſt, when their power is greateſt, and contrary when power is ſmall, then the intention and will of every perſon is covered and leſs ſeen. So as when the queen of Scotts power was greateſt, by her marriage with the dauphin of France, being afterwards French king, it manifeſtly appeared of what mind ſhe and all her friends were, uſing

then

then manifeſtly all the means that could be deviſed to impeach and diſpoſſeſs the queen's majeſty, firſt by writing and publiſhing herſelf in all countries queen of England; by granting charters, patents, and commiſſions, with that ſtyle, and with the arms of England, both the French and Scotts, which charters remain ſtill undefaced; and to proſecute it with effect, it is known what preparations of war were made, and ſent into Scotland; and what other forces were aſſembled in foreign countries; yea, in what manner a ſhameful peace was made by the French with king Philip to employ all the forces of France to purſue all the matters by force which by God's providence and the queen's majeſty contrary power, were repelled; and afterwards, by her huſband's death, her fortune and power being changed, the intention began to hide itſelf, and although by the Scottiſh queen's commiſſaries an accord was made at Edenbrough, to reform all thoſe titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty hath been deferred. And ſo now, as ſoon as ſhe ſhall feel her power, ſhe will ſet the ſame again abroad, and by conſidering of ſuch errors as were committed in the firſt, her friends and allies will amend the ſame, and proceed ſubſtantially to her purpoſe. By ſome it was thought plainly, that the peril was greater of this marriage with the lord Darnley, being a ſubject of this realm, than with the mightieſt prince abroad; for by this, he being of this realm, and having for the cauſe of religion, and other reſpects, made a party here, ſhould encreaſe by force with diminution of the power of the realm; in that whatſoever power he could make by the faction of the papiſt, and other diſcontented perſons here, ſhould be as it were deducted out of the power of this realm; and by the marriage of a ſtranger, ſhe could not be aſſured of any part here; ſo as by this marriage ſhe ſhould have a portion of her own power to ſerve her turn, and a ſmall portion of adverſaries at home in our own bowels, always ſeem more dangerous than treble the like abroad, whereof the examples are in our own ſtories many, that foreign powers never prevailed in this realm, but with the help of ſome at home. It was alſo remembered, that ſeeing how before this attempt of marriage, it is found, and manifeſtly ſeen, that in every corner of the realm, the faction that moſt favoureth the Scottiſh title, is grown ſtout and bold, yea ſeen manifeſtly in this court, both in hall and chamber, it could not be but (except good heed were ſpeedily given to it) by this marriage, and by the practice of the fautors thereof, the ſame faction would ſhortly encreaſe, and grow ſo great and dangerous, as the redreſs thereof would be almoſt deſperate. And to this purpoſe it was remembered, how of late in peruſing of the ſubſtance of the juſtice of the peace in all the countries of the realm, ſcantily a third was found fully aſſured to be truſted in the matter of religion, upon which only thing the queen of Scotts title doth hang, and ſome doubt might be, that the friends of the earl of Lennox, and his had more knowledge hereof than was thought, and thereby made avant now in Scotland, and their party was ſo great in England as the queen's majeſty durſt not attempt to contrary his marriage. And in this ſort, was the ſum of the perils declared, being notwithſtanding more largely and plainly ſet out, and made

made so apparent by many sure arguments, as no one of the council could deny them to be but many and very dangerous.

Second Question.

THE question of this consultation was what were meet to be done to avoid these perils, or else to divert the force thereof from hurting the realm? wherein there were a great number of particular devises propounded; and yet the more part of them was reduced by some into three heads.

1. THE first thought necessary by all persons, as the only thing of the most moment and efficacy, to remedy all these perils, and many others, and such as without it no other remedy could be found sufficient, and that was to obtain that the queen's majesty would marry, and make therein no long delay.

2. THE second was to advance, establish, and fortify indeed the profession of religion, both in Scotland and in England, and to diminish, weaken, and feeble the contrary.

3. THE third was, to proceed on sundry things, either to disappoint and break this intended marriage, or, at the least, thereby to procure the same not to be so hurtful to this realm, as otherwise it will be.

THE first of these three hath no particular rights in it, but an earnest and unfeigned desire and suite, with all humbleness, by prayer to Almighty God, and advice and council to the queen's majesty, that she would defer no more time from marriage, whereby the good subjects of the realm might stay their hearts, to depend upon her majesty, and the issue of her body, without which no surety can be devised to ascertain any person of continuance of their families or posterities, to enjoy that which otherwise should come to them.

SECOND, concerning the matters of religion, wherein both truth and policy were joined together, had these particulars.

FIRST, whereas of late the adversaries of religion, in the realm, have taken occasion to comfort and increase their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion shall be shortly changed in this realm, by means that the bishops, by the queen's majesty commandment, have of late dealt streightly with some persons of good religion, because they had forborn to wear certain apparel, and such like things; being more of form and accidents, than of any substance, for that it is well known that her majesty had no meaning to comfort the adversaries, but only to maintain an uniformity as well in things external as in the substance, nor yet hath any intention to make any change of the religion as it is established by laws. It was thought by all men very necessary for the suppressing of the pride and arrogancy of the adversaries, indirectly hereby to notify, by her special letters to the two archbishops, that her former commandment was only to retain an uniformity, and not to give any occasion to any person to misjudge of her majesty, in the change of any part of religion, but that she did determine firmly to maintain the form of her religion, as it was established, and to punish such as did therein violate her laws. And in these points, some also wished that it might please her archbishops, that if they should see that the adversaries continued in taking occasion to fortify

their

their faction, that in that case they should use a moderation therein, until the next parliament, at which time, some good, uniform, and decent order might be devised, and established, for such ceremonies, so as both uniformity and gravity might be retained amongst the clergy.

The second means was, that the quondam bishops, and others, which had refused to acknowledge the queen's majesty's power over them, according to the law, and were of late dispersed in the plague time to sundry places abroad, where it is known they cease not to advance their faction, might be returned to the Tower, or some other prison, where they might not have such liberty to seduce and inveigle the queen's majesty's subjects, as they daily do.

The third means was, that where the bishops do complain that they dare not execute the ecclesiastical laws, to the furtherance of religion, for fear of the premunire wherewith the judges and lawyers of the realm, being not best affected in religion, do threaten them, and in many cases lett not to pinch and deface them, that upon such cases opened, some convenient authority might be given them, from the queen's majesty, to continue during her pleasure.

The fourth was, that there were daily lewd, injudicious and unlawful books in English brought from beyond seas, and are boldly received, read, and kept, and especially in the North, seducing of great numbers of good subjects, the like boldness whereof was never suffered in any other princess's time, that some streight order might be given to avoid the same, and that it might be considered by the judges, what manner of crime the same is, to maintain such books, made directly against her majesty's authority, and maintaining a foreign power, contrary to the laws of the realm.

The fifth was, that where a great number of monks, fryars, and such lewd persons are fled out of Scotland, and do serve in England, especially in the North, as curates of churches, and all such of them as are not found honest and conformable, may be banished out of the realm, for that it appeareth they do sow sedition in the realm, in many places, and now will increase their doings.

The sixth, where sundry having ecclesiastical livings, are on the other side the sea, and from thence maintain sedition in the realm; that livings may be better bestowed, to the commodity of the realm, upon good subjects.

The seventh is, that the judges of the realm, having no small authority in this realm, in governance of all property of the realm, might be sworn to the queen's majesty, according to the laws of the realm, and so thereby they should for conscience sake maintain the queen's majesty's authority.

The particulars of the third intention to break and avoid this marriage, or to divert the perils.

First to break this marriage, considering nothing can likely do it, but force, or fear of force, it is thought by some that these means following might occasion the breach of the marriage.

1. That the earl of Bedford repair to his charge.

2. That the works at Berwick be more advanced.

3. That the garrison be there increased.

4. That

4. THAT all the wardens put their frontiers in order with speed, to be ready at an hour's warning.

5. THAT some noble person, as the duke of Norfolk, or the earl of Salop, or such other, be sent into Yorkshire, to be lieutenant-general in the North.

6. THAT preparations be made of a power, to be in readiness to serve, either at Berwick, or to invade Scotland.

7. THAT presently lady Lennox be committed to some place, where she may be kept from giving or receiving of intelligence.

9. THAT the earl of Lennox and his son may be sent for, and required to be sent home by the queen of Scots, according to the treaty; and if they shall not come, then to denounce to the queen of Scots the breach of the treaty, and thereupon to enter with hostility; by which proceeding, hope is conceived (so the same be done in deeds and not in shews) that the marriage will be avoided, or at the least that it may be qualified from many perils; and whatsoever is to be done herein, is to be executed with speed, whilst she has a party in Scotland that favoureth not the marriage, and before any league made by the queen of Scots with France or Spain.

Some other allows well of all these proceedings, saving of proceeding to hostility, but all do agree in the rest, and also to these particularities following.

10. THAT the earl's lands upon his refusal, or his son's refusing, should be seized, and bestowed in gift or custody, as shall please her majesty, upon good subjects.

11. THAT all manifest favourers of the earl, in the North, or elsewhere, be inquired for, and that they be, by sundry means, well looked to.

12. THAT enquiry be made in the North, who have the steward-ship of the queen's majesty's lands there, and that no person, deserving mistrust, be suffered to have governance or rule of any of her subjects or lands in the North, but only to retain their fees, and more trusty person have rule of the same people's lands.

13. THAT all frequent passages into this realm, to and from Scotland, be restrained to all Scottish men, saving such as have safe conduct, or be especially recommended from Mr. Randolph, as favourers of this realm.

14. THAT some intelligence be used with such in Scotland, as favour not the marriage, and they comforted from time to time.

15. THAT the queen's majesty's household, chamber, and pensioners be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

16. THAT the younger son of the earl of Lennox, Mr. Charles, be remembered to some place where he may be forth coming.

17. THAT considering the faction and title of the queen of Scots hath now of long time received great favour, and continued, by the queen's majesty's favour herein to the queen of Scots and her ministers, and the lady Catharine, whom the said queen of Scots accompted as a competitor unto her in pretence of title, it may please the queen's majesty, by some exterior act, to shew some remission of her displeasure to the lady, and to the earl of Hartford, that the queen of

Scots

Scotts thereby may find ſome change, and her friends put in doubt of further proceeding therein.

18. THAT whoſoever ſhall be lieutenant in the North, Sir Ralph Sadler may accompany him.

19. THAT with ſpeed the realm of Ireland may be committed to a new governor.

20. FINALLY, that theſe advices being conſidered by her majeſty, it may pleaſe her to chooſe which of them ſhe liketh, and to put them in execution in deeds, and not to paſs them over in conſultations and ſpeeches.

FOR it is to be aſſured, that her adverſaries will uſe all means to put their intention in execution. Some by practice, ſome by force, when time ſhall ſerve, and no time can ſerve ſo well the queen's majeſty to interrupt the perils, as now at the firſt, before the queen of Scotts purpoſes be fully ſettled.

No. XI. (p. 201.)

Randolph to the earl of Leiceſter, from Edinburgh the 31ſt of July 1565.

[Cott. Lib. Cal. b. ix. fol. 216. An original.]

MAY it pleaſe your lordſhip, I have received your lordſhip's letter by my ſervant, ſufficient teſtimony of your lordſhip's favour towards me, whereof I think myſelf always ſo aſſured, that what other miſhap ſoever befal me, I have enough to comfort myſelf with; though I have not at this time received neither according to the need I ſtand, nor the neceſſity of the ſervice that I am employed in, I will rather paſs it, as I may with patience, than trouble your lordſhip to be further ſuter for me, when there is ſo little hope that any good will be done for me. I doubt not but your lordſhip hath heard by ſuch information as I have given from hence, what the preſent ſtate of this country is, how this queen is now become a married wife, and her huſband, the ſelf-ſame day of his marriage, made a king. In their deſires, hitherto, they have found ſo much to their contentment, that if the reſt ſucceed and proſper accordingly, they may think themſelves much happier, than there is appearance that they ſhall be; ſo many diſcontented minds, ſo much miſliking of the ſubjects to have theſe matters thus ordered, and in this ſort to be brought to paſs I never heard of any marriage; ſo little hope, ſo little comfort as men do talk, was never ſeen, at any time, when men ſhould moſt have ſhewed themſelves to rejoice, if that conſideration of her own honour and well of her country had been had as appertained in ſo weighty a caſe. This is now their fear, the overthrow of religon, the breach of amitie with the queen's majeſty, and the deſtruction of as many of the nobility as ſhe hath miſliking of, or that he liketh to pick a quarrel unto. To ſee all theſe inconveniencys approaching, there are a good number that may ſooner lament with themſelves, and complain to their neighbours, than be able to find remedie to help them, ſome attempt with all the force they have, but are too weak to do any good, what is required otherways, or what means there is made your lordſhip knoweth; what will be anſwered, or what will be done, therein, we are in great doubt, and though your intent be never ſo

good

good unto us, yet do we ſo much fear your delay, that our ruin ſhall prevent your ſupport when council is once taken. Nothing ſo needful, as ſpeedy execution. Upon the queen's majeſty, we wholly depend in her majeſty's hands it ſtandeth to ſave our lives, or to ſuffer us to periſh; greater honour her majeſty cannot have, than in that which lieth in her majeſty's power to do for us; the ſums are not great, the numbers of men are not many that we deſire; many will dayly be founds tho' this will be ſome charge; men grow dayly, though, at this time, I think her majeſty ſhall loſe but few; her friends here being once taken away, where will her majeſty find the like; I ſpeak leaſt of that which I think is moſt earneſtly intended by this queen, and her huſband, when by him it was lately ſaid, that he cared more for the papiſts in England, than he did for the proteſtants in Scotland; if therefore, his hopes be ſo great in the papiſts of England what may your lordſhip believe that he thinketh of the proteſtants here; for his birth, for his nurritour, for the honour he hath to be of kine to the queen my miſtreſs, if in preferring thoſe that are the queen's majeſties worſt ſubjects to thoſe that are her beſt, he declareth what mind he beareth to the queen's majeſty's ſelf, any man may ſay it is ſlenderly rewarded, and his duty evil forgotten; he would now ſeem to be indifferent to both the religions, ſhe to uſe her maſs, and he to come ſometimes to the preaching; they were married with all the ſolemnities of the popiſh time, ſaving that he heard not the maſs; his ſpeech and talk argueth his mind, and yet would he fain ſeem to the world that he were of ſome religion; his words to all men, againſt whom he conceiveth any diſpleaſure how unjuſt ſoever it be, ſo proud and ſpitfull, that rather he ſeemeth a monarch of the world, than he that, not long ſince, we have ſeen and known the lord Darnley; he looketh now for reverence of many that have little will to give it him; and ſome there are that do give it, that think him little worth of it. All honour that may be attributed unto any man by a wife, he hath it wholly and fully; all praiſes that may be ſpoken of him, he lacketh not from herſelf; all dignities that ſhe can indue him with, which are already given and granted; no man pleaſeth her that contenteth not him; and what may I ſay more, ſhe hath given over to him her whole will, to be ruled and guided as himſelf beſt liketh; ſhe can as much prevail with him, in any thing that is againſt his will, as your lordſhip may with me to perſuade that I ſhould hang myſelf; this laſt dignity out of hand to have been proclaimed king, ſhe would have it deferred untill it were agreed by parliament, or he had been himſelf 21 years of age, that things done in his name might have the better authority. He would, in no caſe, have it deferred one day, and either then or never; whereupon this doubt is riſen amongſt our men of law whether ſhe being clad with a huſband, and her huſband not twenty-one years, any thing without parliament can be of ſtrength, that is done between them; upon Saturday at afternoon, theſe matters were long in debating. And before they were well reſolved upon, at nine hours at night, by three heralds, at ſound of the trumpet he was proclaimed king. This was the night before the marriage; this day, Monday at twelve of the clock, the lords, all that were in the toun, were preſent at the proclaiming of

him

him again, where no man ſaid ſo much as Amen, ſaving, his father that cried out aloud God ſave his queen. The manner of the marriage was in this ſort, upon Sunday in the morning between five and ſix, ſhe was conveyed by divers of her nobles to the chapell; ſhe had upon her back the great mourning gown of black, with the great wide mourning hood, not unlike unto that, which ſhe wore the doulfull day of the burial of her huſband: ſhe was led into the chapell, by the earle of Lenox and Athol, and there was ſhe left untill her huſband came, who alſo was conveyed by the ſame lords, the minister prieſts, two, do there receive them, the bands are aſked the third time, and an inſtrument taken by a notour that no man ſaid againſt them, or alledged any cauſe why the marriage might not proceed. The words were ſpoken, the rings which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers ſaid over them, ſhe tarrieth out the maſs, and he taketh a kiſs, and leaveth her there, and went to her chamber, whither within a ſpace ſhe followeth; and being required, according to the ſolemnity, to caſt off her cares and leave aſide thoſe ſorrowful garments, and give herſelf to a more pleaſant life, after ſome pretty refuſall, more I believe for manner ſake than grief of heart, ſhe ſuffered them that ſtood by, every man that could approach, to take out a pin, and ſo being committed to her ladies, changed her garments, but went to bed, to ſignifie to the world, that it was not luſt that moved them to marry, but only the neceſſity of her country, not, if God will, long to leave it deſtitute of an heir. Suſpicious men, or ſuch as are given of all things to make the worſt, would that it ſhould be believed, that they knew each other before that they came there; I would not your lordſhip ſhould ſo believe it, the likelihoods are ſo great to the contrary, that if it were poſſible to ſee ſuch an act done, I would not believe it. After the marriage followeth commonly great cheer and dancing; to their dinner they were conveyed by the whole nobility: the trumpets ſound; a largeſs cried: mony thrown about the houſe in great abundance, to ſuch as were happy to get any part; they dine both at one table, ſhe upon the upper hand, there ſerve her theſe earls Athole, ſewer, Morton carver, Craufoord cup-bearer; theſe ſerve him in like offices, earls Eglington, Caſſels, and Glencairn; after dinner they danced a while, and then retired themſelves till the hour of ſupper; and as they dined ſo do they ſup, ſome dancing there was, and ſo they go to bed; of all this I have written to your lordſhip I am not oculatus teſtis, to this, but of the verity your lordſhip ſhall not need to doubt, howſoever I came by it; I was ſent for to have been at the ſupper, but like a curriſh or uncourtly earle I refuſed to be there; and yet that which your lordſhip may think might move me much, to have had the ſight of my miſtreſs, of whom theſe eighteen days by juſt account I got not a ſight, I am my lord taken by all that ſort as a very evil perſon, which in my heart I do well allow, and like of myſelf the better, for yet can I not find either honeſt or good that liketh their domgs. I leave at this time further to trouble your lordſhip, craving pardon for my long ſilence, I have more ado than I am able to diſcharge, I walk now more abroad by night than by day, and the day too little to diſcharge myſelf of that which I conceive, or

receive

receive in the night. As your lordſhip, I am ſure, is partaker of ſuch letters as I write to Mr. Secretary, ſo that I truſt that he ſhall be to this, to ſave me of a little labour, to write the ſame again. moſt humbly I take my leave at Edinburgh, the laſt day of July 1565.

No. XII. (p. 203.)

Letter of the earl of Bedford to the honourable Sir William Cecil knt. her majeſty's principal ſecretary, and one of her highneſs's privy council.

[2d of Sept. 1563. Paper-office, from the original.]

AFTER my hearty commendations, this day at noon captain Brickwell came hither, who brought with him the queen's majeſty's letters, containing her full reſolution and pleaſure for all things he had in charge to give information of, ſaving that for the aid of the lords of the congregation there is nothing determined, or at the leaſt expreſſed in the ſame letters, and for that purpoſe received I, this morning, a letter ſubſcribed by the duke, the earl of Murray, Glencarne, and others, craving to be holpen with 300 harquebuſyers out of this garriſon, for their better defence. And albeit, I know right well the goodneſs of their cauſe, and the queen's majeſty our ſovereign's good will, and care towards them; and do alſo underſtand that it were very requiſite to have them holpen, for that now their cauſe is to be in this manner decided, and that it now ſtandeth upon their utter overthrow and undoing, ſince the queen's party is at the leaſt 5000, and they not much above 1000; beſides, that the queen hath harquebuſyers, and they have none, and do yet want the power that the earl of Arguyle ſhould bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means to learn her majeſty's pleaſure in this behalf, what, and how, I ſhall anſwer them, or otherwiſe deal in this matter, now at this their extreme neceſſity. For, on the one ſide, lyeth thereupon their utter ruin and overthrow, and the miſerable ſubverſion of religion there; and, on the other ſide, to adventure ſo great and weighty a matter as this is (albeit it be but of a few ſoldiers, for a ſmall time), without good warraunte, and thereby to bring, peradventure, upon our heads ſome wilful warrs, and in the mean time to leave the place unfurniſhed, (having in the whole but 800,) without any grant of new ſupply for the ſame; and by that means alſo, to leave the marches here the more ſubject to invaſion, while in the mean ſeaſon new helps are preparing; to this know not I what to ſay or how to do. And ſo much more I marvel thereof, as that having ſo many times written touching this matter no reſolute determination cometh. And ſo between the writing, and looking for anſwer, the occaſion cannot paſs, but muſt needs proceed and have ſucceſs. God turn it to his glory, but ſurely all mens reaſon hath great cauſe to fear it. Such a puſh it is now come unto, as this little ſupply would do much good to advance God's honour, to continue her majeſty's great and careful memory of them, and to preſerve a great many noblemen and gentlemen. If it be not now holpen, it is gone for ever. Your good will and affection that way I do nothing miſtruſt, and herein ſhall take ſuch good advice as by any means I can. I received from theſe lords two papers in-

cloſed,

closed, the effect whereof shall appear unto you. For those matters that captain Brickwell brought, I shall answer you by my next, and herewith send you two letters from Mr. Randolph, both received this day. By him you shall hear that the protestants are retired from Edenborough, further off. So I hope your resolution for their aid shall come in time, if it come with speed, for that they will not now so presently need them; and so with my hearty thanks commit you to God. From Berwick, this 2d of Sept. 1565.

No. XIII. (p. 203.)

The queen to the earl of Bedford.

[12 Sept. 1565. Paper-office.]

UPON the advertisements lately received from you, with such other things as came also from the lord Scrope and Thomas Randolph, and upon the whole matter well considered, we have thus determined. We will, with all the speed that we can, send to you 3000l. to be thus used. If you shall certainly understand that the earl of Murray hath such want of money, as the impresting to him of 1000l. might stand him in stead for the help to defend himself, you shall presently let him secretly to understand, that you will, as of yourself, let him have so much, and so we will that you let him have, in the most secret sort that you can, when the said sum shall come to you, or if you can, by any good means, advance him some part thereof beforehand.

THE other 2000l. you shall cause to be kept whole, unspent, if it be not that you shall see necessary cause to impress some part thereof to the now numbers of the 600 footmen and 100 horsemen; or to the casting out of wages of such workmen, as by sickness, or otherwise, ought to be discharged. And where we perceive, by your sundry letters, the earnest request of the said earl of Murray and his associates, that they might have, at the least, 300 of our soldiers, to aid them. And that you also write, that tho' we would not command you to give them aid, yet if we would but wink at your doing herein, and seem to blame you for attempting such things, as you with the help of others should bring about, you doubt not but things would do well; you shall understand for a truth, that we have no intention, for many respects, to maintain any other princes subjects, to take arms against their sovereign; neither would we willingly do any thing to give occasion to make wars betwixt us and that prince, which has caused us to forbear, hitherto, to give you any power to let them be aided with any men. But now, considering we take it, that they are pursued, notwithstanding their humble submission, and offer to be ordered and tried by law and justice, which being refused to them, they are retired to Dumfrese, a place near our west marches, as it seemeth there to defend themselves, and adding thereunto the good intention that presently the French king pretendeth, by sending one of his to join with some one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding against her subjects, for which purpose the French ambassador here with us has lately written to that queen, whereof answer is daily looked for; to the intent in the mean time the said lords should not

be oppreſſed and ruined for lack of ſome help to defend them, we are content and do authorize, if you ſhall ſee it neceſſary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of 300 ſoldiers, to be taken either in whole bands, or to be drawn out of all your bands, as you ſhall ſee cauſe. And to cover the matter the better, you ſhall ſend theſe numbers to Carliſle, as to be laid there in garriſon, to defend that march, now in this time that ſuch powers are on the other part drawing to thoſe frontiers, and ſo from thence as you ſhall ſee cauſe to direct of, the ſame numbers, or any of them, may moſt covertly repair to the ſaid lords, when you ſhall expreſsly advertize, that you ſend them that aid only for their defence, and not therewith to make war againſt the queen, or to do any thing that may offend her perſon, wherein you ſhall ſo preciſely deal with them, that they may perceive your care to be ſuch as if it ſhould otherwiſe appear, your danger ſhould be ſo great, as all the friends you have could not be able to ſave you towards us. And ſo we aſſure you our conſcience moveth us to charge you, ſo to proceed with them; for otherwiſe than to preſerve them from ruin, we do not yield to give them aid of money or men: And yet we would not that either of theſe were known to be our act, but rather to be covered with your own deſire and attempt.

No. XIV. (p. 209.)

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.

[An original.]

MY humble duty conſidered; what to write of the preſent ſtate of the country I am ſo uncertain, by reaſon of the daily alterations of mens minds, that it maketh me much ſlower than otherwiſe I would. Within theſe few days there was ſome good hope, that this queen would have ſhewed ſome favour towards the lords, and that Robert Melvin ſhould have returned unto them with comfort, upon ſome conditions. Since that time, there are come out of France Clernau by land, and Thorneton by ſea; the one from the cardinal, the other from the biſhop of Glaſgow. Since whoſe arrival neither can there be good word gotten, nor appearance of any good intended them, except that they be able to perſwade the queen's majeſty our ſovereign to make her heir apparent to the croun of England. I write of this nothing leſs than I know, that ſhe hath ſpoken. And by all means that ſhe thinketh the beſt doth travaile to bring it to paſs. There is a band lately deviſed, in which the late pope, the emperor, the king of Spain, the duke of Savoy, with divers princes of Italy, and the queen mother ſuſpected to be of the ſame confederacy to maintain papiſtry throughout Chriſtiandom; this band was ſent out of France by Thorneton, and is ſubſcribed by this queen, the copy thereof remaining with her, and the principal to be returned very ſhortlie, as I hear, by Mr. Stephen Wilſon, a fit miniſter for ſuch a deviliſh deviſe; if the coppie hereof may be gotten, that ſhall be ſent as I conveniently may. Monſieur Rambollet came to this toun upon Monday, he ſpoke that night to the queen and her huſband, but

not long; the next day he held long conferences with them both, but nothing came to the knowledge of any whereof they intreated. I cannot ſpeak with any that hath any hope that there will be any good done for the lords by him, though it is ſaid that he hath very good will to do ſo to the uttermoſt of his power. He is lodged near to the court, and liveth upon the queen's charges. Upon Sunday, the order is given, whereat means made to many to be preſent that day at the maſs. Upon Candlemas day there carried their candles, with the queen, her huſband, the earl of Lennox, and earl Athol; divers other lords have been called together and required to be at the maſs that day, ſome have promiſed, as Caſſels, Mongomerie, Seton, Cathneſs. Others have refuſed, as Fleming, Levingſton, Lindſay, Huntly and Bothel; and of them all Bothel is the ſtouteſt, but worſt thought of; it was moved in council that maſs ſhould have been in St. Giles church, which I believe was rather to tempt men's minds, than intended indeed: She was of late minded again to ſend Robert Melvin to negotiate with ſuch as ſhe truſteth in amongſt the queen's majeſty's ſubjects, of whoſe good willis this way I truſt that the bruit is greater than the truth, but in theſe matters, her majeſty is too wiſe not in time to be ware, and provide for the worſt; ſome in that country are thought to be privie unto the bands and confederacie of which I have written, where of I am ſure there is ſome things, tho' perchance of all I have not heard the truth; in this court divers quarles, contentions, and debates, nothing ſo much ſought as to maintain miſchief and diſorder. David yet retaineth ſtill his place, not without heart grief to many, that ſee their ſovereign guided chiefly by ſuch a fellow; the queen hath utterly refuſed to do any good to my lord of Argyll, and it is ſaid that ſhall be the firſt voyage that ſhe will make after ſhe is delivered of being with child; the bruit is common that ſhe is, but hardly believed of many, and of this, I can aſſure you, that there have of late appeared ſome tokens to the contrary.

No. XV. (p. 212.)

Part of a letter from the earl of Bedford and Mr. Tho. Randolph to the lords of the council of England from Barwick, 27th of March 1566. An original in the Cotton. Library, Caligula b. 10. fol. 372.

[27th March 1566.]

May it pleaſe your Honours,

HEARING of ſo maynie matters as we do, and fyndinge ſuch varietie in the reports, we have myche ado to decerne the veritie: which maketh us the flower and loother to put any thing in wryting, to the entente we wold not that your honours, and by you the queen's majeſtie, our ſovereigne, ſhould not be advertiſed but of the verie trothe as we can poſſible. To this end we thought good to ſend up captain Carewe, who was in Edinbourge at the tyme of the laſt attemptate, who ſpoke there with diverſe, and after that with the queen's ſelf and her huſband conforme to that, which we have learned by others, and know by this reporte, we ſend the ſame, confirmed by the parties ſelf, that were there preſent and aſſyſters unto theſe that were executors of the acte.

THIS we fynde for certain, that the queen's husband being entered into a vehement suspicion of David, that by hym some thynge was committed, which was most agaynste the queen's honour, and not to be borne of his perte, fyrste communicated his mynde to George Duglas, who fynding his sorrows so great sought all the means he coulde to put some remedie to his grieff; and communicating the same unto my lord Ruthen by the king's commandment, no other waye coulde be found then that David should be taken out of the waye. Wherein he was so earneste and daylye presſed the same, that no reste coulde be had untyll it was put in execution. To this that was found good, that the lord Morton, and lord Lindsaye should be made privie to th' intente that theie might have their friends at hande, yf neade required; which causeſ them to assemble so mayny, as theie thought sufficient against the tyme, that this determination of theirs should be put in executione which was determined the ixth of this instante 3 daies afore the parliament should begyne, at which tyme the sayde lords were assured that the erles Argyle, Morraye, Rothes and their complyces sholde have been forfeited, yf the king could not be persuaded through this means to be their friends; who for the desyre he had that this intent should take effect th' one waye, was contenst to yeilde, without all difficultie to t'other, with this condition, that theie should give their consents, that he might have the crowne matrimonial. He was so impatient to see these things he saw, and were daylye brought to his eares, that he daylye presſed the said lord Ruthen, that there might be no longer delay: and to the intent that myght manifeste unto the world, that he approved the acte was content to be at the doing of that himself.

UPON Saturday at night neire unto VIII of the clock the king conveyeth himself, the lord Ruthen, George Duglas, and two others, throwe his own chamber by the privy stayers up to the queen's chamber going to which there is a cabinet about XII foot square; in the same a little low reposing bed and a table, at the which theyr were sitting at supper the queene, the lady Argile, and David with his capp upon his head. Into the cabinet there cometh in the king and lord Ruthen, who willed David to come forth, saying, that was no place for him. The queen said, that it was her will. Her howsband answerede, that yt was againste her honour. The lord Ruthen said, that he should lerne better his deutie, and offering to have taken him by the arm, David took the queen by the blychtes of her gown and put himself behind the queen who wolde gladlee have saved him: But the king having loosed his hand, and holding her in his arms, David was thrust out of the cabinet throw the bed chamber into the chamber of presens, whar were the lord Morton, lord Lindsey, who intending that night to have reserved hym, and the next day to hang him, so mane being about him, that bore him evil will, one thrust him into the boddie with a dagger, and after hym a great many others, so that he had in his bodie above wounds. It is told for certain that the king's own dagger was left sticking in him. Wheather he stuck him or not we cannot be here certayn. He was not slayne in the queen's presens, as was said, but going down the stayres out of the chamber of presens.

THERE remayned a long tyme with the queen her howſband and the lord Ruthen. She made, as we here, great interceſſion, that he ſhold have no harm. She blamed greatlee her howſband that was the actor of ſo foul a deed. It is ſaid, that he did anſwer, that David had more companie of her boddie than he for the ſpace of two months; and therefore for her honour and his own contentment he gave his conſent that he ſhould be taken away. "It is not" (ſaythe ſhe) "the woman's part to ſeek the huſband," and therefore in that the fault was his own. He ſaid that when he came, ſhe either wold not or made herſelf ſick. "Well," ſaythe ſhe, "you have taken "your laſt of me and your farewell." Then were pity, ſaith the lord Ruthen, he is your majeſty's huſband and muſt yield dutie to each other. "Why may I not," ſaythe ſhe, "leave him as well as your "wife did her huſband?" Other have done the like. The lord Ruthen ſaid that ſhe was lawfully divorced from her huſband, and for no ſuch cauſe as the king found himſelf greve. Beſydes this man was mean, baſſe, enemie to the nobility, ſhame to her, and deſtruction to herſelf and country. "Well," ſaith ſhe, "that ſhall be dear "blude to ſome of you, yf his be ſpylt." God forbid, ſayth the lord Ruthen: for the more your grace ſhowe yourſelf offended, the world will judge the worſe.

HER huſband this tyme ſpeaketh litle, herſelf continually weepeth. The lord Ruthen being ill at eaſe and weak calleth for a drink, and ſaythe, "This I muſt do with your majeſties pardon," and perſuadeth her in the beſt ſort he could, that ſhe would pacify herſelf. Nothing that could be ſaid, could pleaſe her.

IN this mean time there roſe a nombre in the court: to pacify which there went down the lord Ruthen, who went ſtrayt to the erles Huntly, Bothwell, and Atholl, to quiet them, and to aſſure them from the king that nothing was intend againſt them. Theſe notwithſtanding taking fear, when theie heard that my lord Murray wold be there the next day, and Argile meet them, Huntly and Bothwell both get out of a window and ſo depart. Atholl had leave of the king with Flyſh and Glandores (who was lately called Deyſley the perſon of Owne), to go where they wold, and bring concorde out of the court by the lord of Lidington. Theie went that night to ſuch places where they thought themſelves in moſt ſauftie.

BEFORE the king leaft talk with the queen, in the hering of the lord Ruthen ſhe was content that he ſhould lie with her that night. We know not how he * * himſelf, but came not at her, and excuſed hymſelf to his friends, that he was ſo ſleepie, that he could not wake in due ſeeſon.

THERE were in this companie two that came in with the king; the one Andrewe Car of Fawdenſide, whom the queen ſayth would have ſtroken her with a dagger, and one Patrick Balentine, brother to the juſtice clerk, who alſo her grace ſayth, offered a dagger againſt her belly with the cock down. We have been earneſtly in hand with the lord Ruthen to know the varitie; but he aſſureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arſkin, one or two others. They at the firſt offering to make a defence, the lord Ruthven drawd his dagger and 4 mo weapons then,

that

that were not drawn nor ſeen in her preſens, as we are by this lord aſſured.

[THE letter afterwards gives an account of the flight to Dunbar caſtle, whither reſorted the lords Huntly and Bothwell: That the earl of Morton and lord Ruthven find themſelves left by the king for all his fair promiſes, bonds, and ſubſcriptions. That he had proteſted before the council, that he was never conſenting to the death of David, and that it is ſore againſt his will: "That of the great ſubſtance "David had there is much ſpoken, ſome ſay in gold to the value of "11m£. His apparel was very good, as it is ſaid, 28 pair of velvet "hoſe. His chamber well furniſhed, armour, dagger, pyſtoletts, "harquebuſes, 22 ſwords. Of all this nothing ſpoyld or lacked "ſaving 2 or 3 daggers. He had the cuſtody of all the queen's "letters, which all were delivered unlooked upon. We hear of a "juill, that he had hanging about his neck of ſome price, that "cannot be heard of. He had upon his back, when he was ſlayn, a "night gown of damaſk furred, with a ſattin doublet, a hoſe of ruſſet "velvet."]

No. XVI. (p. 219.)

Part of a letter from Randolph to Cecil, Jan. 16, 1565-6.

——I CANNOT tell what miſliking of late there hath been between her grace and her huſband, he preſſeth earneſtly for the matrimonial crown, which ſhe is loth haſtily to grant; but willing to keep ſomewhat in ſtore, until ſhe know how well he is worth to enjoy ſuch a ſovereignty: and therefore it is thought that the parliament for a time ſhall be deferred, but hereof I can write no certainty.

From Mr. Randolph's letter to ſecretary Cecil.

[4 April 1566. Paper office, from the original.]

THE juſtice-clerk in hard terms, more for his brother's cauſe than any deſert, and as far as I can hear the king of all other in worſt, for neither hath the queen good opinion of him for attempting of any thing that was againſt her will, nor the people that he hath denied ſo manifeſt a matter, being proved to be done by his commandment, and now himſelf to be the accuſer and purſuer of them that did as he willed them. This Scott, that was executed, and Murray that was yeſterday arraigned, were both accuſed by him. It is written to me, for certain, by one, that upon Monday laſt ſpoke with the queen, that ſhe is determined that the houſe of Lennox ſhall be as poor in Scotland as ever it was. The earl continueth ſick, ſore troubled in mind; he ſtaith in the abby, his ſon hath been once with him, and he once with the queen, ſince ſhe came to the caſtle. The queen hath now ſeen all the covenants and bands that paſſeth between the king and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David was falſe; and grievouſly offended that, by their means, he ſhould ſeek to come to the crown matrimonial.

Part of a letter from Randolph to Cecil from Berwick, 25 April 1566.

——THERE is continually very much ſpeech of the diſcord between the queen and her huſband, ſo for that, that is commonly ſaid and believed of himſelf, that Mr. James Thornton is gone to Rome to ſue for a divorce between them. It is very certain that Malevaſier had not ſpoken with him within theſe three days. He is neither accompanied nor looked upon of any nobleman: attended upon by certain of his own ſervants, and ſix or ſeven of the guard; at liberty to do, and go where and what he will, they have no hope yet among themſelves of quietneſs.

——DAVID's brother named Joſeph, who came this way with Malevaſier, unknown to any man here, is become ſecretary in his brother's place.

No. XVII. (p. 222.)

The earl of Bedford to Cecil, 3d Auguſt 1566.

THE queen and her huſband agree after the old manner, or rather worſe. She eateth but very ſeldom with him, lieth not, nor keepeth company with him, nor loveth any ſuch as love him. He is ſo far out of her books, as at her going out of the caſtle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modeſty, nor with the honour of a queen, be reported what ſhe ſaid of him. One Hickman, an Engliſh merchant there, having a water ſpaniel which was very good, gave him to Mr. James Melvill, who afterwards, for the pleaſure, which he ſaw the king have in ſuch kind of dogs, gave him to the king. The queen thereupon fell marvellouſly out with Melvill, and called him diſſembler and flatterer, and ſaid ſhe could not truſt one, who would give any thing to ſuch one as ſhe loved not.

The earl of Bedford to Cecil, Aug. 8.

THE diſagreement between the queen and her huſband continueth, or rather increaſeth. Robert Melvill drawing homewards within twelve miles of Edinburgh, could not tell where to find the queen; ſith which time ſhe is come to Edinburgh, and had not twelve horſes attending on her. There was not then, nor that I can hear of ſince, any lord baron, or other nobleman in her company. The king her huſband is gone to Dumfermling, and paſſeth his time as well as he may; having at his farewell, ſuch countenance as would make a huſband heavy at the heart.

Sir John Forſter to Cecil, 8 Sept. from Berwick.

THE queen hath her huſband in ſmall eſtimation, and the earl of Lennox came not in the queen's ſight ſince the death of Davy.

Sir

Sir John Forster to Cecil, 11th Dec.

THE earl of Bothwell is appointed to receive the ambaſſadors, and all things for the chriſtening are at his lordſhip's appointment, and the ſame is ſcarcely well liked of the nobility, as is ſaid. The king and queen is preſently at Craig-millar, but in little greater familiarity than he was all the while paſt.

Advertiſements out of Scotland from the earl of Bedford.

[Auguſt 1566. Paper-office, from the original.]

THAT the king and queen agreed well together two days, after her coming from ——, and after my lord of Murray's coming to Edinburgh, ſome new diſcord has happened. The queen had declared to my lord of Murray that the king bears him evil will, and has ſaid to her, that he is determined to kill him, finding fault that ſhe doth bear him ſo much company: and in like manner hath willed my lord of Murray to ſpiere the king, which he did a few nights ſince in the queen's preſence, and in the hearing of divers. The king confeſſed, that reports were made to him, that my lord of Murray was not his friend, which made him ſpeak that thing he repented; and the queen affirmed, that the king had ſpoken ſuch words unto her, and confeſſed before the whole houſe, that ſhe could not be content that either he or any other ſhould be unfriend to my lord of Murray. My lord of Murray enquired the ſame ſtoutly, and uſed his ſpeech very modeſtly, in the mean time the king departed very grieved; he cannot bear that the queen ſhould uſe familiarity either with man or woman, and eſpecially the ladies of Arguile, Murray, and Marre, who keep moſt company with her. My lord of Murray and Bothwell have been at evil words for the l. of Ledington, before the queen, for he and Sir James Balfoure had new come from Ledington with his anſwer upon ſuch heads of articles as Bothwell and he ſhould agree upon, which being reported to the ſaid earl in the queen's preſence, made anſwer, that ere he parted with ſuch lands as was deſired, he ſhould part with his life. My lord of Murray ſaid ſtoutly to him, that twenty as honeſt men as he ſhould loſe their lives ere he reafte Ledington. The queen ſpake nothing, but heard both; in theſe terms they parted, and ſince, that I hear of, have not met. The queen after her hunting came to Edinburgh, and carrieth the prince thence to Stirling with her. This laſt Saturday was executed a ſervant of the lord Ruthven's, who confeſſed that he was in the cabinet, but not of council of the fact. The queen hath alſo opened to my lord of Murray, that money was ſent from the pope, how much it was, and by whom, and for what purpoſe it was brought.

No. XVIII. (p. 231.)

Part of a letter from Elizabeth to Mary, Feb. 20, 1569. A copy interlined by Cecil. It contains an answer to a complaining letter of Mary's upon the imprisonment of the bishop of Ross.

AFTER this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain delays in not ratifying the treaty accorded by your own commissioners, whereby I received no small unkindness, besides the manifold causes of suspicion that I might not hereafter trust to any writings. Then followed a hard manner of dealing with me, to entice my subject and near kinsman, the lord Darnly, under colour of private suits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the same without my assent or liking. And how many unkind parts accompanied that fact, by receiving of my subjects that were base runnegates and offenders at home, and enhancing them to places of credit against my will, with many such like, I will leave for that the remembrance of the same cannot but be noysome to you. And yet all these did I as it were suppress and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, christen your son, the child of my said kinsman, that had before so unloyally offended me, both in marriage of you, and in other undutiful usages towards me his sovereign. How friendly also dealt I by messages to reconcile him, being your husband, to you, when others nourished discord betwixt you, who as it seemed had more power to work their purposes, being evil to you both, than I had to do you good, in respect of the evil I had received. Well I will overpass your hard accidents that followed for lack of following my council. And then in your most extremity, when you was a prisoner indeed, and in danger of your life from your notorious evil willers, how far from my mind was the remembrance of any unkindness you had shewed me. Nay how void was I of respect to the designs which the world had seen attempted by you to my crown, and the security that might have ensued to my state by your death, when I finding your calamity to be great, that you were at the pit's brink to have miserably lost your life, did not only intreat for your life, but so threatened some as were irritated against you, that I only may say it, even I was the principal cause to save your life.

No. XIX. (p. 242.)

Letter of Q. Elizabeth to Q. of Scotts. Thus marked on the back with Cecil's hand.—Copia Literarum Regiæ Majestatis ad Reginam Scotorum. VIII°. Aprilis.

[Paper-office.]

MADAME, vous ayant trop molestè par M. de Crocq, je n'eusse eu si peu de consideration de vous fascher de cette lettre, si les liens de charitè vers les ruinez, et les prieres des miserables ne m'y contraignassent. Je entens que un edit a etè divulguè de par vous, madame que ung chascun, que veult justifier que ons estè les meurtriers de votre feu mari, et mon feu cousin, viennent a le faire le XIIme de

ce

ce mois. La quelle choſe, comme c'eſt plus honorable et neceſſaire, qui en tel cas ſe pourra faire, nè y eſtant caché quelque miſtere ou fineſſe, ainſi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priaſſe de prolongue le jour, pource qu'ilz cognoiſſent que les iniquies ſe ſont combines par force de faire ceque par droict ils ne pourront pas faire; partant, je ne puis mais ſinon pour l'amour de vous meme, a qui il touche le plus, et pour la conſolation des innocens, de vous exhorter le leur conceder cette requeſte, laquelle, ſi elle les feroit me, vous tourneroit grandement en ſoupçon, de plus que j'eſpere ne penſez, et que ne voudriez volontiers ouyr. Pour l'amour de Dieu, madame, uſez de telle ſincerité & prudence en ce cas qui vos touche de ſi pres, que tout le monde aye raiſon, de vous livrer comme innocente d'ung crime ſi enorme, choſe que ſi ne faites, ſeriez dignement eſbloyé hors de rancz de princeſſes, & non ſans cauſe faite opprobre de vulgaire, et plutot que cela vous avienne, je vous ſouhaiterois une ſepulture honorable, qu'une vie maculee; vous voiez madame, que je vous traite comme ma fille, et vous promets, que ſi j'en euſſe, ne luy ſouhaiterois mieulz, que je vous deſire, comme le Seigneur Dieu me porte teſmoignage, a qui je prie de bon cœur de vous inſpirer a faire ce qui vous ſera plus a honneur, et a vos amis plus de conſolation, avec mes tres cordialles recommendations comme a icelle a qui ſe ſouhaite le plus de bien, qui vous pourra en ce monde avenir. De Weſt. ce 8 jour de Janvier[b] en haſte.

No. XX. (p. 250.)

Account of the ſentence of divorce between the earl of Bothwell and lady Jean Gordon his wife. From a manuſcript belonging to Mr. David Falconer, advocate. Fol. 455.

UPOUN the 29 of Apryle 1567, before the richt hon. Mr. Robert Maitland dean of Aberdene, Mr. Edward Henryſon doctor in the laws, two of the ſenators of the college of juſtice, Mr. Clement Little, and Mr. Alexander Syme advocattis, commiſſers of Edin^{r}; compeered Mr. Henry Kinroſſe, procurator for Jean Gourdoune countes of Bothwell, conſtitute be her for purſewing of ane proces of divorcement intendit by her contra James erle Bothwel her huſband for adultry, committed be him with Beſſie Crawfurde the purſuers ſervant for the time; and ſicklyke, for the ſaid erle, compeared Mr. Edmond Hay, who efter he had purſued and craved the purſuer's procurator's oath de calumnia, if he had juſt caus to purſew the ſaid action, and obtained it, denyed the libell, and the ſaid Mr. Harrie took the morne, the laſt day of Apryle, to prove the ſame pro prima. The quhilk day, having produced ſome witneſſes, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced ſome moe witneſſes, and renounced farther probatioune. After quhilk, he deſired a term to be aſſigned to pronounce ſentence. To whom the ſaid commiſſars aſſigned Satterday next, the 3 of May, to pronounce ſentence therein, ſecundum allegata et probata, quilk accordingly was given that day in favour of the purſewar.

[b] A miſtake in the date corrected with Cecil's hand VIII° Aprilis.

At the ſame time there was another proces intendit be the erl of Bothwell contra his lady, for to have their marriage declared nul, as being contracted againſt the canons without a diſpenſation, and he and his lady being within degrees defendand, viz. ferdis a kin, and that wyſe for expeding of this proces, there was a commiſſioune grantit to the archbiſhop of St. Androis to cognoſce and determine it, and Ro^t biſhop of Dunkeld, William biſhop of Dunblane, Mr. Andro Crauſurd chanon in Glaſgow, and parſon of Egelſhame, Mr. Alexander Creichtoun, and Mr. George Cooke chancellor of Dunkeld, and to Mr. Johne Manderſtoune chanon in Dunbar and prebendar of Beltoune, or any ane of them. This commiſſione is datit 27 April 1567, was preſented to two of the ſaids commiſſioners, viz. Mr. And^r Crawfurd and Mr. John Manderſtoune on Satterday 3 May, by Mr. Thomas Hepburne parſon of Auldhamſtocks, procurator for the erle of Bothwell, who accepted the delegatioune, and gave out their citation by precept, directed, Decano Chriſtianitatis de Hadintone, nec non vicario ſeu curato eccle. parochiæ de Creichtoune, ſeu cuicunq; alteri cappellano debite requiſitis, for ſummoning at the ſaid erle's inſtance, both of the lady perſonally if ſhe could be had, or otherways at the paroſche kerk of Creichtoune the time of ſervice, or at her dwelling place before witneſſes, primo, ſecundo, tertio et peremptorie, unico tamen contextu protuplice edicto. And likeways to be witneſſes in the ſaid matter, Alex. biſhop of Galloway, who did marry the ſaid erle and his lady, in Halerudhouſe kirk, in Feb. 1565, ſir John Bannatyne of Auchnoule juſtice clerk, Mr. Robert Creichtoun of Elliok the queen's advocate, Mr. David Chalmers proveſt of Creichtoun and chancellor of Roſs, Michael —— abbot of Melroſs, and to compear before the ſaid judges or any one of them in St. Geils kirk in Ed^r on Monday the 5th of May, be thamſelves, or their procurators. Upon the ſaid 5 day, Mr. John Manderſtoun, one of the judges delegat only being preſent, compeared the ſame procurators for both the parties that were in the former proces, Mr. Edmund Hay (articulatlie)[c] and ſome of the witneſſes ſummoned produced, and received for proving of the ſame. The ſaid procurator renounced farder probatioune, and the judge aſſigned the morne, the 6th of May, ad publicandum producta, nempe depoſitiones ipſorum teſtium. The quhilk day, poſt publicatas depoſitiones prædictas, Mr. Hen. Kinroſſee, procurator for the lady inſtanter objecit objectiones juris generaliter, contra producta, inſuper renunciavit ulteriori defenſioni; proinde concluſa de conſenſu procuratorum hinc inde cauſa, judex prædictus ſtatuit craſtinum diem pro termino, ad pronunciandam ſuam ſententiam definitivam, ex deductis coram eo, in præſenti cauſa et pro ceſſu. Conform hereunto, on Wedneſday the 7th of May, the ſaid judge gave out his ſentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in reſpect of their contingence in blood, which hindered their lawful marriage without a diſpenſation obtained of befoir.

[c] Two words in the parentheſis illegible.

No. XXI. (p. 253.)

A letter from England concerning the murder of king Henry Darnley.

[Earl of Morton's Archives, Bundle B. No. 25.]

HAVING the commodity of this bearer Mr. Clark, I tho't good to write a few words unto you. I have rec^d ſome writs from you; and ſome I have ſeen lately ſent to others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to ſuch as I thought meet, this mekle I can aſſure you; the intelligence given hither by the French was untrue, for there was not one papiſt nor proteſtant which did not conſent that juſtice ſhould be done, be the queen my ſov^rs. aid and ſupport, againſt ſuch as had committed that abominable ill murder in your country; but to ſay truth, the lack and coldneſs did not riſe from ſuch as were called to council, but from ſuch as ſhould give life and execution thereunto. And further, I aſſure you, I never knew no matter of eſtate proponed which had ſo many favourers of all ſorts of nations as this had: yea, I can ſay unto you, no man promoted the matter with greater affection than the Spaniſh ambaſſador. And ſure I am that no man dare openly be of any other mind, but to affirm that whoſoever is guilty of this murder handfaſted with advoutre, is unworthy to live. I ſhall not need to tell you, which be our letts, and ſtayes from all good things here. You are acquainted with them as well as I. Needs I muſt confeſs, that howſoever we omit occaſions of benefit, honour, and ſurety; it behoveth your whole nobility, and namely ſuch as before and after the murder were deemed to allow of Bodwell, to proſecute with ſword and juſtice the puniſhment of thoſe abominable acts, though we lend you but a cold aid, and albeit you, and divers others, both honourable and honeſt, be well known to me, and ſundry others here, to be juſtifiable in all their actions and doings; yet think not the contrary but your whole nation is blemiſhed and infamit by theſe doings which lately paſſed among you. What we ſhall do I know not, neither do I write unto you aſſuredly, for we be ſubject unto many mutations, and yet I think we ſhall either aid you, or continue in the defence and ſafeguard of your prince, ſo as it appear to us that you mean his ſafeguard indeed, and not to run the fortune of France, which will be your own deſtruction if you be unadviſed. I know not one, no not one of any quality or eſtate in this country, which does allow of the queen your ſovereign, but would gladly the world were rid of her, ſo as the ſame were done without farther ſlander, that is to ſay by ordinary juſtice. This I ſend the 23d of May.

No. XXII. (p. 258.)

Part of a letter from Sir Nicolas Throkmorton to Cecil, 11th of July, 1567, from Berwick.

[An original. Paper-office.]

—SIR, your letter of the 6th of July, I received the 10th at Berwick. I am ſorry to ſee that the queen's majeſty's diſpoſition altereth not towards the lords, for when all is done, it is they which muſt

muſt ſtand her more in ſtead, than the queen her couſin, and will be better inſtruments, to work ſome beneſite and quietneſs to her majeſty and her realm, than the queen of Scotland which is void of good fame.

A letter from Sir Nicolas Throkmorton to Cecil, from Faſtcaſtle, 12th of July 1567.

[Paper-office.]

SIR, as you might perceive by my letter of the 11th July, I lodged at Faſtcaſtle that night, accompanyed with the lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well, according to the ſtate of that place, which is fitter to lodge priſoners than folks at liberty, as it is very little, ſo it is very ſtrong. By the conference I have had with the lord of Ledington I find the lords his aſſociates and he hath left nothing unthought of, which may be either to thir danger, or work them ſurety, wherein they do not forget what good and harme France may do them, and likewiſe they conſider the ſame of England; but as farr as I can perceive, to be plain with yow, they find more perril to grow unto them through the queen's majeſty's dealing than either they do by the French, or by any contrary faction amongeſt themſelves, for they aſſure themſelves the queen will leave them in the bryers if they run her fortoun, and though they do acknowledge great beneſit as well to them, as to the realm of England by her majeſty's doings at Leith, whereof they ſay mutually her majeſty and both the realms have received great fruit: yet upon other accidents which have chanced ſince, they have obſerved ſuch things in her majeſty's doings, as have ended to the danger of ſuch as ſhe hath dealt withal, to the overthrow of your own deſignments, and little to the ſurety of any party: and upon theſe conſiderations and diſcourſes at length, methinketh I find a diſpoſition in them, that either they mind to make their bargain with France, or elſe to deal neither with France nor yow, but to do what they ſhall think meet for their ſtate and ſurety, and to uſe their remedy as occaſions ſhall move them; meaning neither to irritate France nor England, untill ſuch time as they have made their bargain aſſuredly with one of yow; for they think it convenient to proceed with yow both for a while pari paſſu, for that was my lord of Ledington's terms. I do perceave they take the matter very unkindly, that no better anſwer is made to the letter, which the lords did ſend to her majeſty, and likewiſe that they hear nothing from yow to their ſatisfaction, I have anſwered as well as I can, and have alledged their own proceedings ſo obſcurely with the queen, and their uncertainty hath occaſioned this that is yet happened, and therefore her majeſty hath ſent me to the end I may inform her throughly of the ſtate of the matters, and upon the declaration of their minds and intents to ſuch purpoſes as ſhall be by me propoſed on her majeſty's behalf unto them, they ſhall be reaſonably and reſolutely anſwered. At theſe things the lord of Ledington ſmiled and ſhook his head, and ſaid it were better for us yow would let us alone, than neither to do us nor yourſelves good, as I fear me in the end that will prove; S^r^ if there be any truth in Ledington,

ton, le Crocq is gone to procure Ramboilet his coming hither or a man of like quality, and to deliver them of their queen for ever, who ſhall lead her life in France, in a abbey recluſed, the prince at the French devotion, the realm governed by a council of their election of the Scottiſh nation, the forts committed to the cuſtody of ſuch as ſhall be choſen amongſt themſelves, as yet I find no great likelihood that I ſhall have acceſs to the queen, it is objected they may not ſo diſpleaſe the French king, unleſs they were ſure to find the queen of England a good friend; and when they once by my acceſs to the queen have offended the French, then they ſay yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the firſt head that I propoſed, they ſaid that thereby they did perceive, that the queen wants their undoing, for as for the reſt of the matters it was but folly to talk of them, the liberty going before; but ſaid they, if you will do us no good, do us no harm, and we will provide for our ſelves. In the end they ſaid, we ſhould refuſe our own commodity, before they concluded with any other, which I ſhould hear of at my coming to Edin^r; by my next I hope to ſend you the hand concluded by Hamiltons, Argyll, Huntly, and that faction, not ſo much to the prejudice of the lords of Edin^r, as that which was ſent into France; thus having no more leiſure, but compelled to leap on horſeback with the lords to go to Edin^r, I humbly take my leave of from Faſtcaſtle the 12th of July 1567.

To Sir Nicolas Throkmorton being in Scotland. By the queen, the 14th July 1567.

TRUSTY and well beloved we greet you well, though we think that the cauſes will often change upon variety of accidents, yet we think for ſundry reſpects, not amiſs, that as you ſhall deal with the lords having charge of the young prince for the committing of him into our realm, ſo ſhall yow alſo do well in treaty with the queen, to offer her that where her realm appeareth to be ſubject to ſundry troubles from time to time, and thereby (as it is manifeſt) her ſon cannot be free, if ſhe ſhall be contented that her ſon may enjoy ſurety and quietneſs, within this our realm, being ſo near as ſhe knows it is; we ſhall not faill to yield her as good ſurety therein for her child, as can be deviſed for any that might be our child born of our own body, and ſhall be glad to ſhew to her therein the trew effect of nature; and herein ſhe may be by yow remembered how much good may enſue to her ſon to be nouriſhed and acquainted with our country; and therefore all things conſidered, this occaſion for her child, were rather to be ſought by her and the friends of him, than offered by us; and to this end, we mean that yow ſhall ſo deal with her, both to ſtay her indeed from inclining to the French practice, which is to us notorious, to convey her and the prince into France, and alſo to avoid any juſt offence, that ſhe might hereafter conceive, if ſhe ſhould hear that we ſhould deal with the lords for the prince.

Sir

Sir Nicolas Throkmorton to queen Elizabeth, 14th July 1567, from Edinburgh.

[An original. Paper-office.]

IT may pleaſe your majeſty to be advertiſed, I did ſignifie unto Mr. Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the cauſes of my ſtay, my lodging at Faſtcaſtle, a place of the lord Hume's, where I was met by the ſaid lord and by the lord Lidington, and what had paſſed in conference betwixt us, whileſt I was at the ſaid Faſtcaſtle. Since which time, accompanyed with the lords aforeſaid, and with 400 horſes by their appointment for my better conduct, I came to Edin^r the 12th of this preſent. The 13th being Sunday appointed for a ſolemne communion in this town, and alſo a ſolemne faſt being publiſhed, I could not have conference with the lords which be aſſembled within this town as I deſired, that is to ſay, the earls of Athole, and Morton, the lord Hume, the lord of Lidington, Sir James Balfour captain of the caſtle, Mr. James M^c^Gill, and the preſident of the ſeſſion.

NEVERTHELESS I made means by the lord of Lidington that they would uſe no protracte of time in mine audience, ſo did I likewiſe to the earle of Morton, whom I met by chance; I was anſwered by them both, that albeit the day were deſtined to ſacred exerciſes, ſuch as were there of the council would conſult upon any moyen touching my acceſs unto them and my conference with them, and ſaid alſo, that in the afternoon either they would come to me, or I ſhould hear from them. About 4 of the clock in the afternoon, the ſaid 13th day, the lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and others, that they required me to have patience, though they had defferred my conference with them, which was grounded principally upon the abſence of the earles of Mar and Glencairn, the lords Semple, Crighton, and others of the council, ſaying alſo that they did conſider the matters which I was on your behalf to treate with them of, were of great importance, as they could not ſatisfy nor conveniently treate with me, nor give me anſwer without the advice of the lords, and others their aſſociates; the lord of Lidington alſo ſaid unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I preſſed greatly to have ſpeedy acceſs to the queen their ſovereign, he perceived, by the lords and others which were here, that in that matter there was great difficulty for many reſpects, but ſpecially becauſe they had refuſed to the French ambaſſador the like acceſs, which being granted unto me, might greatly offend the French, a matter which they deſired and intended to eſchew; for they did not find by your majeſty's dealings with them hitherto, that it behoved them to irritate the French king and to loſe his favour and good intelligence with him: I anſwered, that as to their refuſal made unto the French ambaſſador, monſieur de Ville Roye was diſpatched forth of France before theſe accidents here happened, and his ſpecial errand was to impeach the queen's marriage with the earle of Bothel (for ſo indeed ſince my coming hither I learned his commiſſion tended to that end, and to make offer to the queen of another marriage), and as to monſieur de Crocq, he could have

have no order forth of France concerning these matters, since they happened; and therefore they might very well hold them suspected to have conference with the queen, least they might treate of matters in this time without instructions, and so rather do harm then good; but your majesty being advertized of all things which had chanced, had sent me hither to treat with them for the well of the realm, for the conservation of their honours and credit, and for their surety; and I might boldly say unto him, that your majesty had better deserved than the French had. He said, for his own part, he was much bound unto your majesty, and had always found great favour and courtesy in England; but to be plain with you, sir, sayed he, there is not many of this assembly that have found so great obligation at the queen your sovereign's hands, as at the French kings, for the earles of Morton and Glencairn be the only persons which took benefit by the queen's majesty's aid at Leith, the rest of the noblemen were not in the action; and we think, said he, the queen's majesty your sovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular person; and not to talk with yow as an ambassador, but with sir Nicolas Throkmorton, my lord Morton, and such as were in pain for the death of Davie, found but cold favour of the queen's majesty's hands, when they were banished forth of their own country; but I would all our whole company were as well willing to accomplish the queen your sovereign intents and desires as I am; for mine own part, I am but one, and that of the meaneſt sort, and they be many noblemen and such as have great interest in the matter, mary yow shall be assured I will imploy myself to imploy my credit, and all that I may do, to satisfie the queen your mistres, as much as lyeth in me, and for your own part you have a great many friends in this assembly, with many other good words. But for conclusion I must take this for an answer to stay until the other lords were come, and thereupon I thought meet to advertize your majesty what hath passed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your majesty of the state of all things, as I have learned since my coming hither, it may please your majesty to understand as followeth.

The queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the Lord Lindsay and Lochleven the owner of the house; for the lord Ruthven is imployed in another commission, because he began to show great favour to the queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earle of Murray's brother, hath also liberty to come to her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and as far as I can perceive, their rigour proceedeth by their order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith that if it were put to her choice to relinquish her crown and kingdom, or the lord Bothell, she would leave her

kingdom and dignity, to go as a ſimple damſell with him, and that ſhe will never conſent that he ſhall fare worſe or have more harm than herſelf.

And as far as I can perceive, the principal cauſe of her detention is, for that theſe lords do ſee the queen being of ſo fervent affection towards the earle Bothell as ſhe is, and being put at, as they ſhould be compelled to be in continuall arms, and to have occaſion of many battles, he being with manifeſt evidence notoriouſly detected to be the principal murderer, and the lords meaning proſecution of juſtice againſt him according to his merits.

The lords mean alſo a divorce betwixt the queen and him, as a marriage not to be ſuffered for many reſpects, which ſeparation cannot take place if the queen be at liberty, and have power in her hands.

They do not alſo forget their own perill, conjoined with the danger of the prince, but as far as I can perceave, they intend not either to touch the queen in ſafety or in honor, for they do ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that the conditions aforeſaid accompliſhed, they will both put her to liberty, and reſtore her to her eſtate.

These lords have for the guard of their town 450 harqubuſhers which be in every good order, for the entertainment of which companys, until all matters be compounded, they did ſue unto your majeſty, to aid them with ſuch ſum of money as hath been mentioned to Mr. Secretary by the lord of Lydington's writing, amounting as I perceive to ten or twelve thouſand crowns of the

They were lately advertized that the French king doth mind to ſend hither monſieur de la Chapell des Urſine, a knight of the French order, and always well affectionate to the houſe of Guyſe, and howſoever la Foreſt, Villaroy, and du Crocq have uſed language in the queen's favour and to theſe lords diſadvantage there, to your majeſty; la Crocq doth carry with him ſuch matter as ſhall be little to the queen's advantage; ſo as it is thought the French king, upon his coming to his preſence, will rather ſatiſfie the lords, than pleaſure the queen; for they have their party ſo well made, as the French will rather make their profit by them, than any other way.

Herewith I ſend your majeſty the laſt bond agreed on, and ſigned by the Hamiltons, the earl of Argyll, Huntly, and ſundry others at Dumbarton.

Nevertheleſs, ſince my coming to this town, the Hamiltons have ſent unto me a gentleman of their ſurname named Robert Hamilton, with a letter from the biſhop of St. Andrews and the abbot of Arbroth, the copy whereof I ſend your majeſty and mine anſwer unto them, referring to the bearer the declaration of ſome things, as theſe did by him unto me.

The earle of Argyll hath, in like manner, ſent another unto me with a letter and credit, I have uſed him as I did the others, the copy of both which letters I ſend your majeſty alſo. The lord Harrys hath alſo ſent unto me but not written, and I have returned unto him in like ſort.

AGAINST the 20th day of this month there is a generall aſſembly of all the churches, ſhires, and boroughs towns of this realm, namely of ſuch as be contented to repair to theſe lords to this town, where it is thought the whole ſtate of this matter will be handeled, and I fear me much to the queen's diſadvantage and danger; unleſs the lord of Lidington and ſome others which be beſt affected unto her do provide ſome remedy; for I perceave the great number, and in manner all, but chiefly the common people, which have aſſiſted in theſe doings, do greatly diſhonour the queen, and mind ſeriouſly either her deprivation, or her deſtruction; I uſed the beſt means I can (conſidering the furie of the world here) to prorogue this aſſembly, for that appeareth to me to be the beſt remedy: I may not ſpeak of diſſolution of it, for that may not be abiden, and I ſhould thereby bring myſelf into great hatred and peril. The chiefeſt of the lords which be here preſent at this time dare not ſhow ſo much lenity to the queen as I think they could be contented, for fear of the rage of the people. The women be moſt furious and impudent againſt the queen, and yet the men be mad enough; ſo as a ſtranger over buſie may ſoon be made a ſacrifice amongſt them.

THERE was a great bruit that the Hamiltons with their adherents would put their force into the fields againſt the 24th of this month, but I do not find that intent ſo true, as the common bruit goeth.

THE earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

THE earle of Lennox is by theſe lords much deſired here, and I do believe your majeſty may ſo uſe him, and direct him, as he ſhall be able to promote your purpoſe with theſe men.

THE earle of Argyll, the Hamiltons and he be incompatible.——I do find amongſt the Hamiltons, Argyll and the company two ſtrange and ſundry humours.

HAMILTONS do make ſhow of the liberty of the queen, and proſecute that with great earneſtneſs, becauſe they would have theſe lords deſtroy her, rather than ſhe ſhould be recovered from them by violence; another time they ſeem to deſire her liberty and Bothwell's deſtruction, becauſe they would compaſs a marriage betwixt the queen and the lord of Arbroth.

THE earle of Argyll doth affect her liberty, and Bothwell's deſtruction, becauſe he would marry the queen to his brother.

AND yet neither of them, notwithſtanding their open concurrence (as appeareth by their bond), doth diſcover their minds to each other, nor mind one end; Knox is not here, but in the weſt parts, he and the reſt of the miniſters will be here at the great aſſembly, whoſe auſterity againſt the queen I fear as much as any man's.

BY ſome conference which I had with ſome of his councill, me thinketh that they have intelligence that there is a diſpoſition in the queen of Scotland to leave this realm, and to retire herſelf into either England or into France, but moſt willingly into England, for ſuch —— and miſlikeings as ſhe knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of perſons deleagued, and authorized by her, or to ſome one or more.

And it pleaſe your majeſty, I think it not amiſs to put yow in remembrance, that in caſe the ſaid queen come into England by your allowance, without the French king's conſent, ſhe ſhall looſe her dowery in France, and have little or nothing from hence to entertain her; and in caſe ſhe do go into France with the king's contentment, ſhe may be an inſtrument (if ſhe can recover favour, as time will help to cancell her diſgrace) either by matching with ſome huſband of good quality, or by ſome other deviſe, to work new unquietneſs to her own contry, and ſo conſequently to your majeſty's.

Therefore it may pleaſe your majeſty to conſider of this matter, and to let me know your pleaſure with convenient ſpeed, how I ſhall anſwer the ſame, if it be propounded unto me, either by the queen or by the councill, as a piece of the end and compoſition. For I am ſure, of late, ſhe hath ſeemed very deſirous to have the matter brought to paſs that ſhe might go into England, retaining her eſtate and juriſdiction in herſelf, though ſhe do not exerciſe it; and likewiſe I underſtand that ſome of this council which be leaſt affected to her ſafety do think there is no other way to ſave her. Thus Almighty God preſerve your majeſty in health, honour, and all felicity; at Edin^r^ the 14th July 1567.

Sir Nicolas Throkmorton to queen Elizabeth, the 18th of July 1567, from Edinburgh.

[An original. Paper-office.]

It may pleaſe your majeſty, yow might perceave by my letters of the 16th, how far I had proceeded with theſe lords, and what was their anſwer; ſince which time I have ſpoken particularly with the earle Morton, the lord of Lidington, and Sir James Balfour captain of this caſtle, at whoſe hands I cannot perceave that as yet acceſs to the queen to Lochleven will be granted me, ſtaying themſelves ſtill by the abſence of the lords and others their aſſociates, which (they ſay) they look for within two days; and for that I find, by likelihood and apparent preſumptions, that mine acceſs to the queen will hardly be granted, I have thought good not to defer this diſpatch until I have a reſolute anſwer in that matter.

May it therefore pleaſe your majeſty, to underſtand Robert Melvin returned from the queen in Lochlevin, to this town the 6th of July, and brought a letter from her written of her own hand to theſe lords, which doth contain, as I underſtand, matter as followeth—A requeſt unto them to have conſideration of her health, and if they will not put her to liberty, to change the place of reſtraint to the caſtle of Stirling, to the end ſhe might have the comfort and company of her ſon, and if they will not change her from Lochleven, ſhe required to have ſome other gentlewoman about her, naming none.

To have her apothecary, to have ſome modeſt miniſter.——To have an imbroiderer to draw forth ſuch work as ſhe would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm ſhe maketh two offers, which are but generally touched in her letter, the particularitys be not ſpecified, but referred to Robert Melvin's credit, the one is to commit it only and wholly to the

the earle of Murray, the other is to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelrault, the earls of Morton, Murray, Marr, and Glencairn.

She hath written unto them that I might have access unto her.—She requireth further, that if they will not treat her and regard her as their queen, yet to use her as the king their sovereign's daughter (whom many of them knew) and as their prince's mother.—She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

She yieldeth in words to the prosecution of the murder.

I have the means to let her know that your majesty hath sent me hither for her relief.

I have also persuaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather die; grounding herself upon this reason taking herself to be seven weeks gone with child; by renouncing Bothell, she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for it; I have perswaded her to save her own life and her child, to choose the least hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had some conference, and with Mr. Creig also, the other minister of this town.

I have perswaded with them to preach and perswad lenity, I find them both very austere in this conference, what they shall do hereafter I know not, they are furnished with many arguments, some forth of the scripture, some forth of histories, some grounded (as they say) upon the laws of this realm, some upon practices used in this realm, and some upon the conditions and oath made by their prince at her coronation.

The bishop of Galloway, uncle to the earle of Huntley, hath sent hither to these lords, that his nephew the earle and some others of that side may, at Linlithgow or at Stirling, have some communication with some appointed on this side, assuring them that there is a good disposition in the lords of the other party to concurre with these, assuring further that they will not dissent for trifles or unnecessary things, and (as I am given to understand) they can be pleased the queen's restraint be continued until the murder be pursued in all persons, whereby the separation of the queen and Bothell is implyed, the preservation of the prince, the security for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath so long served in Denmark and served at Newhaven, did the 16th of this month (accompanied with one of his soldiers, or rather the soldier as the greater fame goeth) kill one Wilson a seaman, and such a one as had great estimation with these lords both for his skill, his hardyness, honesty, and willingness in this action; whereupon Clerk hath retired himself; their quarrel was about the ship which took Blacketer, which ship was appointed by these

lords to go to the north of Scotland to impeach the paſſage of the earle Bothell, in caſe he went either to the iſles, or to any other place; by the death of this man this enterprize was daſhed.

THE biſhop of Galloway is come to Linlithgow, and doth deſire to ſpeak with the lord of Lidington.

THE abbot of Kilwinning hath ſent for ſir James Balfour, captain of the caſtle, to have conference with him.

As I wrote unto your majeſty in my laſt, the Hamiltons now find no matter to diſever theſe lords and them aſſunder, but would concur in all things (yea in any extremity againſt the queen) ſo as that they might be aſſured the prince of Scotland were crouned king, and ſhould die without iſſue, that the earle of Lenox's ſon living ſhould not inherit the croun of this realm, as next heir to his nephew.

AND although the lords and councelors ſpeak reverently, mildly, and charitably of their queen, ſo as I cannot gather by their ſpeech any intention to cruelty or violence, yet I do find by intelligence, that the queen is in very great peril of her life, by reaſon that the people aſſembled at this convention do mind vehemently the deſtruction of her.

IT is a public ſpeech amongſt all the people, and amongſt all eſtates (ſaving of the counſellors) that their queen hath no more liberty nor privilege to commit murder nor adultery, than any other private perſon, neither by God's laws, nor by the laws of the realm.

THE earl of Bothwell, and all his adherents and aſſociates, be put to the horn by the ordinary juſtice of this town, named the lords of the ſeſſion; and commandment given to all ſhirriffs, and all other officers, to apprehend him, and all other his followers and receiptors.—The earl of Bothell's porter, and one of his other ſervitors of his chamber, being apprehended, have confeſſed ſuch ſundry circumſtances, as it appeareth evidently, that he the ſaid earl was one of the principal executors of the murder, in his own perſon accompanyed with ſundry others, of which number I cannot yet certainly learn the names but of three of them, that is to ſay, two of the Ormiſtons of Tivotdall, and one Hayborn of Bolton; the lords would be glad that none of the murderers ſhould have any favour or receipt in England, and hereof their deſire is, that the officers upon the border may be warned; Bothell doth ſtill remain in the north parts, but the lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.—The intelligence doth grow daily betwixt theſe lords, and thoſe which held of; and notwithſtanding theſe lords have ſent an hundred and fifty harquebuſhers to Stirling, to keep the town and paſſage from ſurprize; and ſo have they done in like manner to St. Johnſton, which be the two paſſages from the north, and weſt to this town, I do underſtand the captain of Dunbar is much buſied in fortifying that place, I do mervile the carriages be not impeached otherwiſe than they be.

OF late this queen hath written a letter to the captain of the ſaid caſtle, which hath been ſurprized; and thereby matter is diſcoverd which maketh little to the queen's advantage.

THUS, having none other matter worthy your majeſty's knowledge, I beſeech God to proſper your majeſty with long life, perfect health, and proſperous felicity. At Edinburgh the 18th of July 1567.

Letter

Letter of Sir Nicholas Throkmorton to the right honourable the earl of Leiceſter, knt. of the order, and one of the lords of her majeſty's moſt honourable privy council.

[24th of July 1567. Paper-office, from the original.]

BY my former diſpatches ſent to her majeſty, and Mr. Secretary, ſince the 12th of July, your lordſhip might have perceived the ſtate of this country, and to what end theſe matters be like to come: ſo as not to trouble your lordſhip with many words; this queen is like very ſhortly to be deprived of her royal eſtate, her ſon to be crowned king, and ſhe detained in priſon within this realm, and the ſame to be governed, in the young king's name, by a councel, conſiſting of certain of the nobility, and other wiſe men of this realm; ſo as it is eaſy to be ſeen that the power and ability to do any thing to the commodity of the queen's majeſty, and the realm of England, will chiefly, and in manner wholly, reſt in the hands of theſe lords, and others their aſſociates, aſſembled at Edinburgh. Now if the queen's majeſty will ſtill perſiſt in her former opinion towards the queen of Scotland (unto whom ſhe ſhall be able to do no good), then I do plainly ſee that theſe lords and all their accomplices will become as good French, as the French king can wiſh, to all intents and purpoſes. And as for the Hamiltons, the earls of Arguile, Huntlye, and that faction, they be already ſo far inchanted that way, as there needeth little deviſe to draw them to the French devotion. Then this is the ſtate of things ſo come to paſs of this country, that France has Scotland now as much conjoined unto them, to all purpoſes, as ever it was; and what an inſtrument, the young prince will prove, to unquiet England, I report me to your lordſhips wiſdoms, and therefore conſidering the weight of the matter, and all the circumſtances, I truſt your lordſhips will well bethink you in time (for 'tis high time), how to adviſe her majeſty, to leave nothing undone that may bring the prince of Scotland to be in her poſſeſſion, or at the leaſt, to be at her devotion. And amongſt other things, that I can imagine, for the firſt degree nothing is more meet to bring this to effect, than to allure this company here aſſembled, to bear her majeſty their favour. Some talk hath paſſed between the lord of Liddington and me, in certain conferences, about this matter. By him I find, that when her majeſty ſhall have won theſe men to her devotion, the principal point that will make them conformable to deliver their prince into England, will reſt upon the queen, and the realms enabling him to the ſucceſſion of the crown of England, for fault of iſſue of the queen's majeſty's body, ſome other things will alſo be required, as the charge of the ſaid prince and his train to be at the charge of England. I do well perceive that theſe men will never be brought to deliver their prince into England, without the former condition, for the ſucceſſion of England; for (ſaith Liddington) that taking place, the prince ſhall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preſervation as the other. Otherwiſe, he ſaith, all things conſidered, it will be reported that the Scotiſhmen have put their prince to be kept in ſafety, as thoſe which commit the ſheep to be kept by the wolves. So as for concluſion, your lordſhips may

perceive here will be the ſcope of this matter. As unto the delivering of him upon hoſtages, he ſayeth, let no man think, that the condition of the ſucceſſion not being accompliſhed, the nobility and the gentry will never conſent to leave themſelves deſtitute of their ſovereign, upon any hoſtages, neither upon any promiſes, nor likelihood of good to iſſue in time to come. It were not good for yourſelves (ſaith he) that the matter were ſo handled; for then you ſhould adventure all your goods in one ſhip, which might have a dangerous effect, conſidering the unwillingneſs of the queen your ſovereign to conſent to eſtabliſhing any ſucceſſor to the crown. And then, how unmete were it, that her majeſty having in her poſſeſſion already all ſuch perſons as do pretend to it, or be inheritable to the crown, to have our prince alſo in her cuſtody. For ſo there might follow, without good capitulations, a ſtrange and dangerous iſſue, tho' the queen your miſtreſs do think that ſuch imaginations could not proceed but from buſy heads, as you have uttered unto us on her behalf. What is come to paſs ſince my laſt diſpatch, and how far forth things are proceeded, I refer your lordſhip to be informed by my letters ſent unto her majeſty, at this time. And ſo I pray Almighty God, preſerve your lordſhip in much honour and felicity. At Edinburgh this 24th of July 1567.

It may pleaſe your good lordſhip to make my lord Stuard partner of this letter.

The queen to ſir Nicholas Throkmorton.

By the queen.

[6th Auguſt 1567.]

TRUSTY and right well beloved, we greet you well, for as much as we do conſider that you have now a long time remained in thoſe parts without expedition in the charge committed unto you, we think it not meet, ſeeing there hath not followed the good acceptation and fruit of our well meaning towards that ſtate, which good reaſon would have required, that you ſhould continue there any longer, our pleaſure, therefore, is, that you ſhall, immediately upon the receipt hereof, ſend your ſervant Middlemore unto the lords and eſtates of that realm, that are aſſembled together, willing him to declare unto them, that it cannot but ſeem very ſtrange unto us, that you having been ſent from us, of ſuch good intent, to deal with them, in matters tending ſo much to their own quiet, and to the benefit of the whole eſtate of their country, they have ſo far forgotten themſelves, and ſo ſlightly regarded us and our good meaning, not only in delaying to hear you, and deferring your acceſs to the queen their ſovereign, but alſo, which is ſtrangeſt of all, in not vouchſafing to make any anſwer unto us. And altho' theſe dealings be ſuch, indeed, as were not to be looked for at their hands, yet do we find their uſage and proceeding towards their ſoveraign and queen, to overpaſs all the reſt in ſo ſtrange a degree, as we for our part, and we ſuppoſe the whole world, beſides, cannot but think them to have therein gone ſo far beyond the duty of ſubjects, as muſt needs remain to their perpetual taunche for ever. And therefore ye ſhall ſay, that we have tho't

good,

good, without consuming any longer time in vain, to revoke you to our presence, requiring them to grant you licence and passport so to do, which when you shall have obtained, we will that you make your repair hither, unto us, with as convenient speed as you may. Given, &c.

Indorsed 6th August 1567.

Throkmorton to the right honourable Sir William Cecil knight, one of her majesty's privy council and principal secretary, give these.

[12th Aug. 1567. Paper-office. From the original.]

SIR,

WHAT I have learned, since the arrival of my lord Murray, and Monsr. de Linnerol, you shall understand by my letter to her majesty, at this time. The French do, in their negotiations, as they do in their drink, put water to their wine. As I am able to see into their doings, they take it not greatly to the heart how the queen sleep, whether she live or die, whether she be at liberty or in prizon. The mark they shoot at, is, to renew their old league; and can be as well contented to take it of this little king (howsoever his title be), and the same by the order of these lords, as otherwise. Lyneroll came but yesterday, and methinketh he will not tarry long; you may guess how the French will seek to displease these lords, when they changed the coming of la Chapelle des Oursins for this man, because they doubted that de la Chapelle should not be grateful to them, being a papist. Sir, to speak more plainly to you, than I will do otherwise, me thinketh the earl of Murray will run the course that those men do, and be partaker of their fortune. I hear no man speak more bitterly against the tragedy, and the players therein, than he, so little like he hath to horrible sins. I hear an inkling that Ledington is to go into France, which I do as much mislike, as any thing, for our purpose. I can assure you the whole protestants of France will live and die in these men's quarrels; and, where there is bruit amongst you, that aid should be sent to the adverse party, and that Martigues should come hither with some force; Monsr. Boudelot hath assured me of his honour, that instead of Martigues coming against them, he will come with as good a force to succour them: and if that be sent under meaner conduct, Robert Stuart shall come with as many to fortify them. But the constable hath assured these lords, that the king meaneth no way to offend them. Sir, I pray you find my revocation convenient, and speed you to further it, for I am here now to no purpose, unless it be to kindle these lords more against us. Thus I do humbly take my leave of you, from Edenburgh the 12th of August 1567.

Yours to use and command.

The queen to Nicholas Throkmorton.

TRUSTY and well-beloved, we greet you well. We have, within these two days, received three sundry letters of yours, of the 20th, 22d, and 23d, of this month, having not before those received any seven days before; and do find, by these your letters, that you have very diligently and largely advertised us of all the hasty and peremptory

peremptory proceedings there; which as we nothing like, ſo we truſt in time to ſee them wax colder, and to receive ſome reformation. For we cannot perceive, that they with whom they have dealt can anſwer the doubts moved by the Hamiltons, who howſoever they may be carried for their private reſpects, yet thoſe things which they move, will be allowed by all reaſonable perſons. For if they may not, being noblemen of the realm, be ſuffered to hear the queen their ſovereign declare her mind concerning the reports which are made of her, by ſuch as keep her in captivity, how ſhould they believe the reports, or obey them, which do report it? and therefore our meaning is, you ſhall let the Hamiltons plainly underſtand, that we do well allow of their proceedings (as far forth as the ſame doth concern the queen their ſovereign for her relief), and in ſuch things as ſhall appear reaſonable for us therein to do, for the queen our ſiſter, we will be ready to perform the ſame. And where it is ſo required, that upon your coming thence, the lord Scroope ſhould deal with the lord Herris to impart their meanings to us, and ours to them, we are well pleaſed therewith, and we require you to advertize the lord Scroope hereof by your letters, and to will him to ſhew himſelf favourable to them in their actions, that may appear plainly to tend to the relief of the queen, and maintenance of her authority. And as we willed our ſecretary to write unto you, that upon your meſſage done to the earl of Murray, you might return, ſo our meaning is you ſhall. And if theſe our letters ſhall meet you on the way, yet we will have you advertiſe both the lord Scroope and the Hamiltons of our meaning.

Indorſed 29 Aug. 1567.

No. XXIII. (p. 261.)

Sir Nicholas Throckmorton to the archbiſhop of St. Andrew's and the abbot of Arbrothe.

[13th Aug. 1567. Paper-office, from a copy which ſir Nicholas ſent to the queen.]

AFTER my good commendations to your good lordſhips, this ſhall be to advertize you, that the queen's majeſty my ſovereign having ſent me hither her ambaſſador to the queen her ſiſter your ſovereign, to communicate unto her ſuch matter as ſhe thought meet, conſidering the good amity and intelligence betwixt them, who being detained in captivity (as your lordſhips know) contrary to the duty of all good ſubjects, for the enlargement of whoſe perſon, and the reſtitution of her to her dignity, her majeſty gave me in charge to treat with theſe lords aſſembled at Edenburgh, offering them all reaſonable conditions and means as might be, for the ſafeguard of the young prince, the puniſhment of the late horrible murder, the diſſolution of the marriage betwixt the queen and the earl of Bodwell, and laſtly for their own ſureties. In the negociation of which matters I have (as your lordſhips well know) ſpent a long time to no purpoſe, not being able to prevail in any thing with thoſe lords, to the queen my ſovereign's ſatisfaction. Of which ſtrange proceedings towards her majeſty, and undutiful behaviour towards their ſovereign, I have advertiſed the queen's majeſty, ſhe (not being minded

minded to bear this indignity) hath given me in charge to declare her further pleaſure unto them, in ſuch ſort as they may well perceive her majeſty doth diſallow of their proceedings, and thereupon hath revoked me. And further hath given me in charge to communicate the ſame unto your lordſhips, requiring you to let me know, before my departure hence (which ſhall be, God willing, as ſoon as I have received anſwer from you) what you and your confederates will aſſuredly do, to ſet the queen your ſovereign at liberty, and to reſtore her to her former dignity by force or otherwiſe; ſeeing theſe lords have refuſed all other mediation, to the end the queen's majeſty my ſovereign may concur with your lordſhips in this honourable enterprize.

And in caſe, through the diſperſion of your aſſociates, your lordſhips can neither communicate this matter amongſt you, nor receive reſolution of them all by that time, it may pleaſe you to ſend me the opinions of ſo many of you as may confer together, within two or three days, ſo as I may have your anſwer here in this town by Monday or Tueſday next at the fartheſt, being the 19th of this Auguſt; for I intend (God willing) to depart towards England, upon Wedneſday following. Thus I moſt humbly take my leave of your lordſhips at Edenburgh, the 13th of Aug. 1567.

Indorſed the 13th of Aug. 1567.

Sir Nicholas Throckmorton to the lord Herrys.

[14th Aug. 1567. Paper-office, from a copy which ſir Nicholas ſent to ſecretary Cecil.]

YOUR good lordſhip's letter of the 13th of Auguſt I have received the 19th of the ſame. For anſwer whereunto it may like your lordſhip to underſtand, that I will ſignify unto you plainly, how far forth I am already thoroughly inſtructed of the queen's majeſty my ſovereign's pleaſure concerning the detention of the queen your ſovereign, and concerning her relief.

To the firſt her majeſty hath given in charge, to uſe all kinds of perſuaſion in her name, to move theſe lords aſſembled at Edenburgh to deſiſt from this violent and undutiful behaviour, which they uſed toward their ſovereign. And in this part, beſides the ſhew of many reaſons, and ſundry perſuaſions of amicable treaty with them, her majeſty hath willed me to uſe ſome plain and ſevere ſpeech unto them, tending ſo far forth, as if they would not be better adviſed, and reform theſe their outrageous proceedings exerciſed againſt their ſovereign, that then they might be aſſured her majeſty neither would nor could indure ſuch an indignity to be done to the queen, her good couſin and neighbour.

And notwithſtanding theſe my proceedings with them, they have made proof to be little moved thereby; for as yet neither will they conſent to the enlargement, neither ſuffer me to ſpeak with her. So as it ſeemeth to me, it is ſuperfluous to treat any more with them after this manner. Whereupon I have advertiſed the queen's majeſty my ſovereign, expecting daily her majeſty's further order; and as I ſhall be advertiſed thereof, ſo will not fail to ſignify the ſame to your good lordſhip; and in the mean time will advertiſe her majeſty alſo,

alſo, what your lordſhip hath written unto me. Thus with my due commendations to your good lordſhip, I commit the ſame to almighty God, reſting always to do you the pleaſure and ſervice that I can lawfully. At Edenburgh.

Indorſed 24th Auguſt 1567.

No. XXIV. (p. 268.)

Account of lord Herreis's behaviour in the parliament held December 15, 1567.

[Paper-office.]

THE lord Herrys made a notable harangue in the name of the duke and himſelf, their friends and adherents (the duke himſelf, the earl of Caſſilles, and the abbot of Kilwinning being alſo preſent) to perſuade the union of the whole realm in one mind. Wherein he did not ſpare to ſet forth ſolemnly the great praiſe that part of this nobility did deſerve, which in the beginning took meanes for puniſhment of the earl Bothwell, as alſo ſeeing the queen's inordinat affection to that wicked man, and that ſhe could not be induced by their perſuaſion to leave him, that in ſequeſtring her perſon within Lochlevin, they did the duty of noblemen. That their honourable doings, which had not ſpared to hazard their lives and lands, to avenge their native country from the ſlanderous reports that were ſpoken of it among other nations, had well deſerved that all their brethren ſhould join with them in ſo good a cauſe. That he and they, in whoſe names he did ſpeak, would willingly, and without any compulſion, enter themſelves in the ſame yoke, and put their lives and lands in the like hazard, for maintenance of our cauſe. And if the queen herſelf were in Scotland, accompanied with 20,000 men, they will be of the ſame mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntly, Arguile, and others, which had not as yet acknowledged the king, would come to the ſame conformity, whereunto he would alſo earneſtly move them. And if they will remain obſtinate, and refuſe to qualify themſelves, then will the duke, he and their friends, join with us to correct them, that otherwiſe will not reform themſelves. So plauſible an oration, and more advantageous for our party, none of ourſelves could have made. He did not forget to term my lord regent, by the name of regent (there was no mention at all of the earl of Murray), and to call him grace at every word, when his ſpeeches were directed to him, accompanying all his words with low courteſies after this manner.

No. XXV. (p. 281.)

Queen Mary to Queen Elizabeth.

[Cott. Lib. Cal. i. A copy, and probably a tranſlation.]

MADAM,

ALTHOUGH the neceſſity of my cauſe (which maketh me to be importune to you) do make you to judge that I am out of the way; yet ſuch as have not my paſſion, nor the reſpects whereof you are perſuaded, will think that I do as my cauſe doth require. Madam, I have not accuſed you, neither in words, nor in thought, to have

have uſed yourſelf evil towards me. And I believe, that you have no want of good underſtanding, to keep you from perſwaſion againſt your natural good inclination. But in the mean time I can't chuſe (having my ſenſes) but perceive very evil furtherance in my matters, ſince my coming hither. I thought that I had ſufficiently diſcourſed unto you the diſcommodities, which this delay bringeth unto me. And eſpecially that they think in this next month of Auguſt, to hold a parliament againſt me and all my ſervants. And in the mean time, I am ſtayed here, and yet will you, that I ſhould put myſelf further into your country (without ſeeing you), and remove me further from mine; and there do me this diſhonour at the requeſt of my rebels, as to ſend commiſſioners to hear them againſt me, as you wold do to a mere ſubject, and not hear me by mouth. Now, madam, I have promiſed you to come to you, and having there made my moan and complaint of theſe rebels, and they coming thither, not as poſſeſſors, but as ſubjects, to anſwer. I would have beſought you to hear my juſtification of that which they have falſly ſet furth againſt me, and if I could not purge myſelf thereof, you might then diſcharge your hands of my cauſes, and let me go for ſuch as I am. But to do as you ſay, if I were culpable I would be better adviſed; but being not ſo, I can't accept this diſhonour at their hands, that being in poſſeſſion they will come and accuſe me before your commiſſioners, whereof I can't like: And ſeeing you think it to be againſt your honour and conſignage to do otherwiſe, I beſeech you that you will not be mine enemy, untill you may ſee how I can diſcharge myſelf every way, and to ſuffer me to go into France, where I have a dowry to maintain me; or at leaſt to go into Scotland, with aſſurance that if there come any ſtrangers thither, I will bind myſelf for their return without any prejudice to you, or if it pleis you not to do thus, I proteſt that I will not impute it to falſhood, if I receive ſtrangers in my country, without making you any other diſcharge for it. Do with my body as you will, the honour or blame ſhall be yours. For I had rather die here, and that my faithful ſervants may be ſuccoured (tho' you would not ſo) by ſtrangers, than to ſuffer them to be utterly undone, upon hope to receive, in time to come, particular commodity. There be many things to move me to fear that I ſhall have to do, in this country, with others than with you. But foraſmuch as nothing hath followed upon my laſt moan, I hold my peace happen what may hap. I have as leef to {abide / endure} my fortune, as to ſeek it, and not find it. Further, it pleaſed you to give licenſe to my ſubjects to go and come. This has been refuſed by my lord Scroop and Mr. Knolls (as they ſay) by your commandment, becauſe I would not depart hence to your charge, untill I had anſwer of this letter, tho' I ſhewed them that you required my anſwer, upon the two points, contained in your letter.

The one is to let you briefly underſtand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your aid, and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my juſt quarrel, and to appeal to other princes to have reſpect

ſpect thereunto, as my caſe requireth; and to you, madam, firſt of all, when you ſhall have examined your conſcience before him, and have him for witneſs.——And the other, which is to come further into your country, and not to come to *your* preſence, I will eſteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In mean time, I beſeech you, to return to me my lord Herries, for I can't be without him, having none of my counſel here; and alſo to ſuffer me, if it pleaſe you, without further delay, to depart hence whitherſoever it be out of this country. I am ſure you will not deny me this ſimple requeſt for your honour's ſake, ſeeing it doth not pleaſe you to uſe your natural goodneſs towards me otherwiſe, and ſeeing that of mine own accord, I am come hither, let me depart again with yours. And if God permit my cauſes to ſucceed well, I ſhall be bound to you for it; and happening otherwiſe, yet I can't blame you. As for my lord Fleeming, ſeeing that upon my credit you have ſuffered him to go home to his houſe, I warrant you he ſhall paſs no further, but ſhall return when it ſhall pleaſe you. In that you truſt me, I will not (to die for it) deceive you. But *from*[a] Dumbarton I anſwer not, when my l. Fleeming ſhall be in the Tower. For they which are within it will not forbear to receive ſuccour, if I don't aſſure them of yours; no, tho' you would charge me withal, for I have left them in charge, to have more reſpect to my ſervants and to my eſtate, than to my life. Good ſiſter, be of another mind, win the heart, and all ſhall be yours, and at your commandment. I thought to ſatisfy you wholly, if I might have ſeen you. Alas! do not as the ſerpent, that ſtoppeth his hearing, for I am no enchanter, but your ſiſter, and natural couſin. If Caſar had not diſdained to hear or read the complaint of an adverſifer, he had not ſo died; why ſhould princes ears be ſtopped, ſeeing that they are painted ſo long? meaning that they ſhould hear all and be well adviſed, before they anſwer. I am not of the nature of the baſiliſk, and leſs of the chamelion, to turn you to my likeneſs, and tho' I ſhould be ſo dangerous and curs'd as men ſay, you are ſufficiently arm'd with conſtancy and with juſtice, which I require of God, who give you grace to uſe it well with long and happy life. From Carliſle, the 5th of July 1568.

No. XXVI. (p. 282.)

Part of a letter from Sir Francis Knollys to Cecil, 8th Aug. 1568, *from Bolton.*

[An original. Paper-office.]

——BUT ſurely this queen doth ſeem, outwardly, not only to favour the form, but alſo the chief article of the religion of the goſpel, namely juſtification by faith only: and ſhe heareth the faults of papiſtry revealed, by preaching or otherwiſe, with contented ears, and with gentle and weak replys, and ſhe doth not ſeem to like the worſe of religion throw me.

[a] Perhaps *for*.

Part

Part of a letter from Sir Francis Knollys to Cecil, 21 Sept. 1568, from Bolton.

——IT came to this queen's ears of late that she was bruited to be lately turned to the religion of the gospell, to the great disliking of the papists hereabouts, which thing she herself confessed unto me, and yesterday, openly in the great chamber, when the assembly was full, and some papists present, she took occasion to speak of religion, and then openly she professed herself to be of the papist religion, and took upon her to patronize the same, more earnestly than she had done a great while afore, altho' her defences and arguments were so weak, that the effect of her speech was only to shew her zeal; and afterwards to me alone, when I misliked to see her become so confidently backward in religion, Why, said she, would you have me to lose France and Spain, and all my friends in other places, by seeming to change my religion, and yet I am not assured the queen my good sister will be my assured friend, to the satisfaction of my honour and expectation.

No. XXVII. (p. 283.)

A letter from my lord Herries to my lord Scroop and sir F. Knollys, September 3d, 1568.

[Cott. Lib. Cal. C. An original in his own hand.]

MY lords, pleasit your honourable lordships, I am informed by James Borthwick, lately come from the queen's majesty, your soverane, that is schawin to her highness, I should have ridden in Crafurdmure, sen my last coming into this realm, upon the earl of Murray's dependants. And that I suld have causit, or been of counsall to Scottismen to have ridden in England, to slay or spulzie her majesty's subjects.

My lords, I thought it right needful because your lordships is, by your soverane, commanded to attend upon the queen's majesty my mistress, so having daily access in thir matters, to declare upon the truth; humbly desiring that your lordships will, for God's cause, certificate the queen your soverane the same.

As God lives, I have neither consented, nor any wise had knowledge of any Scottisman's riding in England, to do the subjects thereof hurt in bodies or goods, sene the siege of Leith; and as I understand it shall be fund true, that giff ony sic open hurt be done, it is by the queen my sovereign's disobients, and that I have not ridden nor hurt no Scottisman, nor commanded no hurt to be done to them, sen my coming from the queen's majesty of England, it is will kend, for that never ane will complain of me.

I have done more good to Crawfurdmure nor ever the earl of Murray has done, and will be loather to do them any harm than he will. Except the queen's majesty your sovereign, command sic false reports to be tryit, quhereof this is altogidder an invention leasing, her grace sall be trublit, and tyne the hearts of true men here, quhom of sic report sall be made, that hath would serve hir, and may, better than they unworthy liars.

My lords, I understand the queen's majesty your sovereign is not contented of this bruite, that there should ony Frenchman come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counsall of their cuming, nor has no sic certainty thereof, as I hear by Borthwick's report from the queen's majesty your sovereign. And gif I might as well say it, as it is true indeed, her grace's self is all the wyitt, and the counsall that will never let her take order with my maistress cause. For that our sovereign havand her majesty's promise, be writing, of luff, friendship, and assistance gif need had so requirit, enterit that realm, upon the 16 day of May, sen that time the queen's majesty has commanded me divers times to declare she would accept her cause, and do for her, and to put her in peaceable possession of this realme, and when I required of her majesty, in my maistress name, that her highness would either do for her (as her special trust was she wold) according to her former promises, or otherwise give her counsal, wold not consent (as I show her grace I fand diverse repugnant) than that she would permit her to pass in France, or to some other prince to seek support, or failing hereof (quhilk was agains all reason) that she would permit her to return in her awin countrie, in sic sempil manner as she came out of it, and said to her majesty ane of thir, for her honour, would not be refusit, seeand that she was comed in her realm upon her writings and promises of friendship. And sicklike, I said to her highness, gif my maistress had the like promise of her nobility and estates, as she had of herself, I should have reprovit them highly, gif they had not condescendit to one of thir three, and so I say, and so I write, that in the warld it shall be maist reprehendable, gif this promise taketh not other good effect, nor yet it does. Notwithstanding I get gud answer of thir promises of friendship made to my sovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore, directit from her highness to stay the army that cuist down our houses. And alsua, in the proceeding of this late pretendit parliament, promised twenty days before the time to myself to have caused it been dischargit. And yet contrary to this promise, have they made their prendit manner of forfaulture of 31 men of guid reputation, bishops, abbottis, and barroni, obedient subjects to our sovereign, only for her cause.

They have also disponit, sen our sovereign's cause was taken upon hand be the queen's majesty of that realm, an hundred thousand pound Scots worth of her awin true subjects geir, under the color of the law, groundit upon their false treasonable stowin, authority.

The murders, the oppressions, the burnings, the ravishing of women, the destruction of policy, both ecclesiastical and temporal, in this mean time, as in my former writings I said it was lamentable to ony Christian man to hear of, except God gif grace, the profession of the evangile of Jesus Christ professit be your prince, counsall and realme, be mair myndit, nor the auld inamity that has stand betwixt the realms, many of my countrymen will doubt in this article, and their proceedings puttis my self in Sanct Thomas belief.

Now, my lords, gif the queen's majesty of that realm, upon quhais promise and honour my maistress came there, as I have said, will

leave all the French writings and French phraſes of writings, quhilks amongis them is over meikle on baith ſides unfit, and plainly, according to the auld true cuſtom of Ingland and Scotland, quhereth be a word promiſt truth was obſerv'd, promiſe, in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of Ingland, quhereof ſhe is deſcendit, and preſently wears the diadem, that ſhe will put my maiſtreſs in her awin country, and cauſe her as queen thereof in her authority and ſtrength to be obeyit, and to do the ſame will appoint an certain day within two months at the fartheſt, as we underſtand this to be our weil, ſua will we, or the maiſt part of us all, follow upon it leaving the Frenchmen and their evil French phraſes togidder. And therefore, and for the true perpetual friendſhip of that realm, will condition, and for our part, with the grace of Almighty God, keep ſic heads and conditions of agreement, as noble and wiſe men can condeſcend upon, for the weill of this haill iſland. As I have been partlings declaring to the queen your ſovereign, quhilk I ſhew to your lordſhips ſelfs both in religion, in the puniſhment of the earl Bothwile, for the queen's laſt huſband's ſlaughter, and for a mutual band of amity perpetually to remain amaingis us.

Doubtless, my lords, without that, we may find ſic time and friendly working, as may gif us occaſion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our ſovereign agains our will to reſt where ſhe is, under the promiſe of friendſhip. As I have baith ſaid, and will ever affirm, made by your ſovereign, quhilk was only cauſe of her grace's coming in that realme, and ſeek the help and moyen of French or Spaniſh, till expulſe this treaſonable and falſe pretendit authority, quhilk means to reign above us.

My lords, I deſire your lordſhips conſider, that it is he, that maiſt deſires the amity betwixt Ingland and Scotland to continue, and of a poor man beſt cauſe has, that writ this.

My brother, the laird of Skirling, ſchaws me, that in your lordſhips communing with him, it appearit to him, your mind was we ſhould ſuffer the earl of Murray to work, altho' it were agains reaſon to us, and complain thereof to the queen's majeſty, and her highneſs wald ſee it reformit. My lords, her majeſty will be over meikle troublit to reform the wranges we have ſuſtanit already. For I am ſure, gif reaſon and juſtice may have place, our maiſtreſs, and we her ſubjects, have received expreſs wrang, far above two hundred thouſand pounds ſterling, in the time of this unhappy government, ſeeing the reformation of ſa great cauſes, comes, now a days, ſo ſlowlie and the ungodly law of oblivion in ſic matters ſo meikle practis'd, I think, nowther for the queen's honour, nor our weill, your lordſhips would ſua mean, nor that it is good to us to follow it. And that ye will give your ſovereign ſic advertiſement thereof, as your good wiſdoms ſhall find in this cauſe meet. It will be true and friendful working for us, indeed, and nowther French phraſes, nor boaſting, and finding little other effect, that will cauſe us to hold away the Frenchmen. This is plainly written, and I deſire your lordſhip's plain anſwer, for in truth and plainneſs langeſt continues gud friendſhip,

quhilk in this matter I pray God may lang continue, and have your lordſhips in his keeping. Of Dumfreis, the third day of September 1568.

Your lordſhips at my power,
to command leifully HERRIS.

Queen Mary to Q. Elizabeth.

[1568. Cott. Lib. Cal. 1. An original.]

MADAME ma bonne ſoeur, J'ay reſceu de vos lettres, d'une meſme dete; l'une, ou vous faites mention de l'excuſe de Monsr. de Murra pour tenir ſon pretendu parlement, qui me ſemble bien froid, pour obtenir plus de tollerance que je m'eſtois perſuadée n'avoir par voſtre promeſſe, quant a n'offer donner commiſſion de venir ſans un parlement pour leur peu de nombre de nobleſſe alors, je vous reſpons, qu'ils n'ont que trois ou quatre d'avantage, qui euſſent auſſi bien dit leur opinion hors de parlement, qui n'a eſté tenu tant pour cette effect, mais pour faire ce qu'expreſſement nous avions requis eſtre empeſché, qui eſt la forfaiture de mes ſubjects pour m'avoir eſtes fidelles, ce que je m'aſſurois, juſques a heir, avoir eu en promeſſe de vous, par la lettre ecrite a mi lord Scrup e Maiſtre Knoleis vous induire a ire contre eulx, voire, a les enſayre reſentir; toutefois je vous que je l'ay mal pris, j'en ſuis plus marrie, pour ce que ſur votre lettre qu'il me montrerent, et leur parole, je l'ay ſi divulguement aſſuray que pour vengeance que j'en deſiraſſe, ſi non mettre difference entre leur faux deportemens, et les miens ſinceres. Dans voſtre lettre auſſi datée du 10me d'Aouſt, vous metties ces mots, "I think your "adverſe party, upon my ſundry former advices, will hold no par- "liament at all; and if they do, it ſhall be only in form of an aſ- "ſembly, to accord whom to ſend into this realm, and in what ſort; "for otherwiſe, if they ſhall proceed in manner of a parliament, "with any act of judgment againſt any perſon, I ſhall not, in any "wiſe, allow thereof; and if they ſhall be ſo overſeen, then you may "think the ſame to be of no other moment, than the former pro- "cedures; and by ſuch their raſh manner of proceeding, they ſhall "moſt prejudice themſelves; and be aſſured to find me ready to "condemn them, in their doings." Sur quoy, j'ay contremandé mes ſerviteurs, les faiſſant retirer, ſouffrant ſelon voſtre commande- ment d'etre fauſſement nommés traitres, par ceulx, qui le ſont de vray; et encore d'etre provoques par eſcarmons dies, et par priſes de mes gens et lettres, et au contraire vous etes informée que mes ſubjects ont evahis les voſtres, Madame, qui a fait ce rapport n'eſt pas homme de bien, car laird de Seſford et ſon fils ſont et ont eſtes mes re- belles depuis le commencement; enquirés vous, s'ils n'eſtoient a Donfris aveques eulx, j'avois offri reſpondre de ſa frontiere, ce qui me fut refuſé, ce qui m'en devroit aſſes deſcharger, neanmoins, pour vous faire preuve de ma fidelité, et de leur falſité, s'il vous me fayte donner le nom des coulpables, et me fortifier, je commanderay mes ſubjects les pour ſuivre, ou ſi vous voules que ce ſoit les voſtres, les miens leur ayderont; je vous prie m'en mander voſtre volonté, au reſte mes ſubjects fidelles ſeront reſponſables a tout ce que leur ſera mis ſu les

contre vous, ni les voſtres, ni les rebelles, deſpuis que me conſeillates les faire retirer. Quant aux Françoiſ, j'eſcrivis que l'on m'en fit nulle pourſuite, car j'eſperois tant en vous, que je n'en aurois beſoign,—je ne ſçeu ſi le dict aura eu mes lettres, mais je vous jure devant Dieu que je ne ſcay choſe du monde de leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour ceſt occaſion, et ſi ils ſi ſont, c'eſt ſans mon ſceu ni conſentement. Pourquoy je vous ſupplie ne me condamner ſans m'ouire, car je ſuis preſt de tenir tout ce que j'av offert a Meſter Knoleis, et vous aſſure que voſtre amitié, qu'il vous pleſt m'offrir, ſera reſcue avant toutes les choſes du monde, quant France ſervit la pour preſſer leur retour a ceſte condition, que preniés mes affaires en mein, en ſoeur, et bonne ami, comme ma France eſt en vous; mais une choſe ſeule me rende confuſe, j'ay tant d'enemis qu'ont voſtre oreille, la quelle ne pouvant avoir par parolle, toutes mes actions vous ſont deſguiſées, et faſſement raportees, par quoi il m'eſt impoſſible de m'aſſurer de vous, pour les manteries qu'on vous a fait, pour deſtruire voſtre bonne volonté de moy; par quoy je deſirerois bien avoir ce bien vous faire entendre ma ſincere et bonne affection, laquelle je ne puis ſi bien deſcrire, que mes enemis a tort ne la decolore. Ma bonne ſoeur, gagnes moy; envoyés moy querir, n'entrés en jalouſie pour faulx raports de celle que ne deſire que voſtre bonne grace; je me remettray ſur Meſter Knoleis a qui je me ſuis librement deſcouverte, et apres vous avoir baiſée les mains, je prierai Dieu vous donner en ſanté, longue et heureuſe vie. De Boton, ou je vous promets, je n'eſpere periir, qu'aveques voſtre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aouſt.

No. XXVIII. (p. 283.)

Queen Elizabeth to the earl of Murray.

[*Paper-office, from a copy corrected by ſecretary Cecil.*]

RIGHT truſty and right well beloved couſin, we greet you well. Where we hear ſay, that certain reports are made in ſundry parts of Scotland, that whatſoever ſhould fall out now upon the hearing of the queen of Scotts cauſe, in any proof to convince or to acquit the ſaid queen concerning the horrible murder of her late huſband our couſin, we have determined to reſtore her to her kingdom and government, we do ſo much miſlike hereof, as we cannot indure the ſame to receive any credit: and therefore we have thought good to aſſure you, that the ſame is untruly deviſed by the authors to our diſhonour. For as we have been always certified from our ſaid ſiſter, both by her letters and meſſages, that ſhe is by no means guilty or participant of that murder, which we wiſh to be true, ſo ſurely if ſhe ſhould be found juſtly to be guilty thereof as hath been reported of her, whereof we would be very ſorry, then, indeed, it ſhould behove us to conſider otherwiſe of her cauſe than to ſatisfy her deſire in reſtitution of her to the government of that kingdom. And ſo we would have you and all others think, that ſhould be diſpoſed to conceive honourably of us and our actions.

Indorſed 20 Sept. 1568.

No. XXIX. (p. 287.)

Sir Francis Knollys to Cecil, the 9th of October 1568, from York.

[An original. Paper-office.]

MY lord's grace of Norfolk sending for me to Bolton, to attend upon him here Thurſday laſt, I made my repair hither accordingly, meaning to ſtay here until Monday next; as touching the matters of the commiſſion, that his grace and the reſt have from her highneſs, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto paſſed, and altho' the matters be too weighty for my weak capacity, to preſume to utter any opinion of mine own thereof, yet I ſee that my lord Herries, for his parte laboureth a reconciliation, to be had without the extremity of odious accuſations; my lord of Ledington alſo ſaith to me, that he could wiſh theſe matters to be ended in dulce manner, ſo that it might be done with ſafety; of the reſt you can conceive, by the advertiſements and writings, ſent up by our commiſſioners.

A letter from the biſhop of Roſs to the queen of Scots, from York, October 1568.

[Cot. Lib. Calig. C. 1. A copy.]

PLEIS your majeſty I conferred at length with A. ane great part of a night, who aſſurit me that he had reaſoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpoſe not to end your cauſe at this time, but to hold the ſame in ſuſpence, and did what was in her power, to make the E. purſue the extremity, to the effect F. and his adherents might utter all they could to your diſhonour, to the effect to cauſe you come in diſdain with the hail ſubjects of this realm, that ye may be the mair unable to attempt any thing to her diſadvantage. And to this effect is all her intention, and when they have produced all they can againſt you, D. will not appoint the matter inſtantly, but tranſport you up in the country, and retain you there till ſhe think time to ſhew you favour, which is not likely to be haſtily, becauſe of your uncles in France, and the fear ſhe has of yourſelf to be her unfriend. And therefore their counſel is, that ye write an writing to the D. meaning that ye are informit that your ſubjects which has offendit you.—This is in effect that your majeſty hearing the eſtate of your affairs as they proceed in York, was informed that her majeſty was informed of you, that you could not gudely remit your ſubjects in ſuch ſort as they might credit you hereafter, which was a great cauſe of the ſtay of this controverſy to be ended. And therefore perſuading her D. effectually not to truſt any who had made any ſuch narration. But like as ye had rendered you in her hands, as moſt tender to you of any living, ſo prayit her take na opinion of you, but that ye wauld uſe her counſell in all your affairs, and wald preſer her friendſhip to all others, as well uncles as others, and aſſure her to keep that thing ye wald promiſe to your ſubjects by her advice. And if D. diſcredit you, ye wald be glad to ſatisfy her in that point be removing within her realm

in

in ſecret and quiet manner, where her G. pleaſed, until the time her G. were fully ſatisfied, and all occaſion of diſcredit removed from her. So that in the mean time your realm were holden in quietneſs, and your true ſubjects reſtored and maintained in their own eſtate, and ſic other things tending to this effect. And affirms that they believe that this may be occaſion to cauſe her credit you that ye offer ſo far; and it may come that within two or three months ſhe may become better minded to your grace, for now ſhe is not well-minded, and will not ſhew you any pleaſure for the cauſes aforeſaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

A. The laird of Lethington,
B. The duke of Norfolk,
C. Was the day he rode to Cawood.
D. The queen of England.
E. The queen of Scots commiſſioners.
F. The earl of Murray.

No XXX. (p. 295.)

Deliberation of ſecretary Cecil's concerning Scotland, Dec. 21, 1568.

[Paper Office.]

THE beſt way for England, but not the eaſieſt, that the queen of Scots might remain deprived of her crown, and the ſtate continue as it is.

THE ſecond way for England profitable, and not ſo hard.—That the queen of Scotts might be induced, by ſome perſwaſions, to agree that her ſon might continue king, becauſe he is crowned, and herſelf to remain alſo queen; and that the government of the realm might be committed to ſuch perſons as the queen of England ſhould name, ſo as for the nomination of them it might be ordered, that a convenient number of perſons of Scotland ſhould be firſt named to the queen of England, indifferently for the queen of Scots, and for her ſon, that is to ſay, the one half by the queen of Scots, and the other by the earle of Lennox and lady Lennox, parents to the child; and out of thoſe, the queen's majeſty of England to make choice for all the officers of the realm, that are, by the laws of Scotland, diſpoſable by the king or queen of the land.

THAT until this may be done by the queen's majeſty, the government remain in the hands of the earle of Murray as it is, providing he ſhall not diſpoſe of any offices or perpetuals to continue any longer but to theſe offered of the premiſes.

THAT a parliament be ſummoned in Scotland by ſeveral commandments, both of the queen of Scots and of the young king.

——THAT hoſtages be delivered unto England on the young king's behalf, to the number of twelve perſons of the earle of Murray's part as the queen of Scots ſhall name; and likewiſe on the queen's behalf to the like number as the earle of Murray ſhall name; the ſame not to be any that have by inheritance or office cauſe to be in this parliament, to remain from the beginning of the ſummons of that parliament,

ment, until three months after that parliament; which hostages shall be pledges, that the friends of either part shall keep the peace in all cases, till by this parliament it be concluded, that the ordinance which the queen of England shall devise for the government of the realm (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the same was before the parliament at Edin. the Decem. 1567) shall be established to be kept and obeyed, under pain of high treason for the breakers thereof.

——THAT by the same parliament also be established all executions and judgments given against any person for the death of the late king.

——THAT by the same parliament, a remission be made universally from the queen of Scots to any her contrarys, and also from every one subject to another, saving that restitution be made of lands and houses, and all other things heritable, that have been by either side taken from them which were the owner's thereof at the committing of the queen of Scotts to Lochlevin.

THAT by the same parliament it be declared who shall be successors to the crown next after the q. of Scots and her issue; or else, that such right of the d. of Chatelherault had, at the marriage of the q. of Scots with the lord Darnley, may be conserved and not prejudiced.

THAT the q. of Scots may have leave of the queen's majesty of England, twelve months after the said parliament, and that she shall not depart out of England, without special licence of the queen's majesty.

THAT the young king shall be nourished and brought up in England, till he be years of age.

IT is to be considered, that in this cause the composition between the queen and her subjects may be made with certain articles, outwardly to be seen to the world for her honour, as though all the parts should come of her, and yet for the surety of contrarys, that certain betwixt her and the queen's majesty are to be concluded.

No. XXXI. (p. 296.)

The queen to Sir Francis Knolleys, 22 Jan. 1568-9.

[Paper-office.]

WE greet you well, we mean not, at this point, by any writing, to renew that which it hath pleased God to make grievous to us and sorryful to yow; but forbearing the same as unmeet at this point, having occasion to command yow in our service, and yow also whilest you are to serve us. We require yow to consider of this that followeth with like consideration and diligence, as hitherto yow have accustumate in our service; at the time of our last letters written to yow the fourteenth of this month for removing of the queen of Scots, we had understanding out of Scotland of certain writings sent by her from thence into Scotland, amongst the which one is found to contain great and manifest untruths touching us and others also, as shall and may plainly appear unto yow by the copy of the same, which likewise we send yow, and because at the same time we were advertised, that it

should

ſhould be ſhortly proclaimed in Scotland, though then it was not, we thought good firſt to remove the queen, before we would diſcloſe the ſame, and then expect the iſſue thereof; and now, this day, by letters from our couſin of Hunſdon we are aſcertained, that ſince that time the ſame matters contained in the writings, are publiſhed in diverſe parts of Scotland, whereupon we have thought it very meet, for the diſcharge of our honor, and to confound the falſehood contained in that writing, not only to have the ſame reproved by open proclamation upon our frontiers, the copy whereof we do herewith ſend you, but alſo in convenient ſort to charge that queen therewith, ſo as ſhe may be moved to declare the authors thereof, and perſuaders of her to write in ſuch ſlanderous ſort ſuch untruths of us; and in the mean ſeaſon, we have here ſtayed her commiſſioners, knowing no other whom we more probably preſume to be parties hereunto, than they, until the queen ſhall name ſome other, and acquit them; who being generally charged, without expreſſing to them any particularity, do uſe all manner of ſpeeches to diſcharge themſelves; wherefore our pleaſure is, that ye ſhall, after ye have well peruſed the copy of this writing ſent to you, ſpeedily declare unto her, that we have good underſtanding given us of diverſe letters and writings ſent by her into Scotland, ſigned by her own hand, amongſt which one ſuch writing is ſent with her commandment expreſly as now it is already publiſhed, as we are much troubled in mind that a princeſs as ſhe is, having a cauſe in our hands ſo implicated with difficultys and calamitys, ſhould either conceave in her own mind, or allow of them that ſhould deviſe ſuch falſe, untrue, and improbable matters againſt us, and our honor, and ſpecially to have the aventure to have the ſame being known ſo untrue to be publiſhed; and you ſhall alſo ſay, becauſe we will not think ſo ill of her, as that it ſhould proceed of her ſelf, but rather ſhe hath been counſelled thereunto, or by abuſe made to think ſome part thereof to be true, we require her, even as ſhe may look for any favour at our hands, that ſhe will diſburden herſelf as much as truly ſhe may herein, and name them which have been the authors and perſwaders thereof, and ſo ſhe ſhall make as great amends to us as the caſe may require; after you have thus far proceeded, and ſome anſwer of her, whether ſhe ſhall deny the writing abſolutely, or name any that have been the adviſers thereof, you ſhall ſay unto her that we have ſtayed her commiſſioners here, until we may have ſome anſwer hereof, becauſe we cannot but impute to them ſome part of this evil dealing, until by her anſwer the authors may be known; and as ſoon as you can have direct anſwers from her, we pray you to return us the ſame; for as the caſe ſtandeth, we cannot but be much diſquieted with it, having our honour ſo deeply touched contrary to any intention in us, and for any thing we know in our judgment the earl of Murray and others named in the ſame writing void of thought for the matters, to them therein imputed; you may impart to the queen of Scots either the contents of the ſlanderous letter, or ſhew her the copy to read it; and you may alſo impart this matter to the lord Scroop, to join with you there as you ſhall think meet.

Sir Francis Knolleys to queen Elizabeth, from Wetherby, the 28th January 1568.

[An original. Paper-office.]

—I WILL ſuppreſs my own griefs, and paſs them over with ſilence, for the preſent learning of your majeſty—and for this queen's anſwer to the coppie of her ſuppoſed letter ſent unto Scotland, I muſt add this unto my brother's letter, ſent unto Mr. Secretary yeſternight late; in proceſs of time ſhe did not deny but that the firſt lines contained in the ſaid coppie was agreeable to a letter that ſhe had ſent unto Scotland, which touched my lord of Murray's promiſe to deliver her ſon into your majeſty's hands, and to avoid that the ſame ſhould not be done without her conſent, made her, ſhe ſaith, to write in that behalf; ſhe ſaith alſo that ſhe wrote that they ſhould cauſe a proclamation to be made to ſtir her people to defend my lord of Murray's intent and purpoſe, for delivering of her ſaid ſon, and impunge his rebellious government, as ſhe termed it, but ſhe utterly denyeth to have written any of the other ſlanderous part of the ſaid letter touching your majeſty; ſhe ſaid alſo, that ſhe ſuſpected that a Frenchman, now in Scotland, might be the author of ſome Scotch letters deviſed in her name, but ſhe would not allow me to write this for any part of her anſwer.

No. XXXII. (p. 301.)

Sir Nicholas Throkmorton to the right honourable the lord of Liddington,

[20th July 1569. From the original.]

YOUR letter of the third of July, I have received the 15th of the ſame. For anſwer whereunto you ſhall underſtand, that friends here to my lord regent and you do wiſh ſuch a concurrence in all doings, as in matter and circumſtances there ariſe no diſſenſion, or at the leaſt, no more nor other than the difference of countries doth neceſſarily require. We here do think convenient that as few delays be uſed as may be, for the conſummation of the matter in hand, which principally to advance, your allowance, proſecution, and ſpeedy promotion in Scotland, is moſt requiſite, for you are ſo wiſe, and well acquainted with the ſtate of the world, and with all our humours, as you know that ſome do allow and diſallow for reaſon, ſome for reſpect of multitude, ſome for reſpect of perſons, and ſo the cauſe is to go forward as men do like to ſet it forward. You are not to ſeek that ſome will uſe cautions, ſome neutrality, ſome delays, and ſome will plainly impunge it. And yet all and every of theſe ſorts will alter their doings, when they ſhall ſee the regent and his favourers accord with the beſt and greateſt part there, and agree with the wiſeſt and ſtrongeſt part here. Tho' the matter has taken its beginning here upon deep and weighty conſiderations, for the weil of both the princes and their realms, as well preſently, as in time to come, yet it is thought moſt expedient, that the regent and realm of Scotland, by you, ſhould propoſe the matter to the queen our ſovereign, if you like to uſe convenience, good order, or be diſpoſed to leave but a ſcar, and no wound of the hurts paſt. I would

would be glad that this my letter ſhould come to your hands before the convention, whereat it ſeems your queen's reſtoration and marriage to the duke of Norfolk ſhould be propounded, either to wynne in them both allowance or rejection. To which proceedings, becauſe you pray me to write frankly, I ſay and reaſon thus, me thinketh you uſe a prepoſterous order, to demand the conſent of ſuch perſons, in ſuch matters, as their minds to a good end hath rather been felt or prepared, and therefore there muſt needs follow either a univerſal refuſal, or factious diviſion amongſt you, whereby a blouſtering intelligence muſt needs come to queen Elizabeth of the intended marriage from thence, which ought to have been ſecretly and adviſedly propounded unto her highneſs; hereby you ſee then the meaning is, by this dealing, her majeſty ſhall be made inexorable, and ſo bring the matter to ſuch paſſe, as this which ſhould have wrought ſurety, quietneſs, and a ſtay to both queens and their realms, ſhall augment your calamity, and throw us your beſt friends into divorſe with you, and into unhappy diviſions amongſt ourſelves; for you may not conjecture that the matter is now in deliberation, but expecteth good occaſion for executing; ſure I am you do not judge ſo ſlenderly of the managing this matter, as to think we have not caſt the worſt, or to enter therein ſo far without the aſſiſtance of the nobility, the ableſt, the wiſeſt, and the mightieſt of this realm, except queen Elizabeth: from whom it hath been concealed until you, as the fitteſt miniſter, might propound it to her, on the behalf of the regent and the nobility of Scotland. How far maſter Woddes defamations do carry them of queen Elizabeth's affections, and maſter ſecretary's, to aſſiſt the regent and to ſuppreſs the queen of Scots, I know not, nor is it not material; but I do aſſuredly think, that her majeſty will prefer her ſurety, the tranquillity of her reign, and the conſervation of her people, before any device, which may proceed from vain diſcourſe, or imperfections of paſſions, and inconſiderate affections. And as for Mr. Secretary, you are not to learn, that as he liketh not to go too faſt afore, ſo he coveteth not to tarry too far behind, and ſpecially when the reliques be of no great value or power. If I could as well aſſure you of his magnanimity, and conſtancy, as of his preſent conformity, I would ſay confidently, you may repoſe as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leiceſter, Bedford, Shrewſbury, and the reſt of the nobility; all which do embrace and proteſte the accompliſhment of this caſe. I have, according to your advice, written preſently to my lord regent, with the ſame zeal and care of his well doing that I owe to him, whom I love and honour. Mr. Secretary hath aſſured unto him the queen of Scotland's favour and good opinion, wherewith he ſeemeth to be well ſatisfy'd. If your credit be, as I truſt, haſten your coming hither, for it is very neceſſary that you were here preſently. Q. Elizabeth both doth write to my lord Regent in ſuch ſort, as he may perceive Mr. Wood's diſcourſes of her majeſty's affection to be vain, and Mr. Secretary otherwiſe bent than he conjectureth of him, the effect of which her majeſty's letter you ſhall underſtand, by my lord Leiceſter's letter unto you at this diſpatch. At the court, 20 July 1569.

No. XXXIII.

No. XXXIII. (p. 302.)

Part of a letter from the earl of Murray to L. B. (probably lord Burleigh.)

[1569. Hael. Lib. 37. B. 9. fo. 43.]

——BECAUSE I see that great advantage is taken on small occasions, and that the mention of the marriage betwixt the queen my sovereign's mother, and the d. of Norfolk hath this while past been very frequent in both the realms, and then I myself to be spoken of as a motioner, which I perceive is at the last come to her majesty's ears; I will, for satisfaction of her highness, and the discharge of my duty towards her majesty, manifest unto you my interest, and medling in that matter, from the very beginning, knowing whatsoever is prejudicial to her highness, cannot but be hurtful to the king my sovereign, this his realm, and me. What conferences was betwixt the duke of Norfolk, and any of them that were with me within the realm of England, I am not able to declare; but I am no wise forgetful of any thing that passed betwixt him and me, either at that time, or since. And to the end her majesty may understand how I have been dealt with, in this matter, I am compelled to touch some circumstances, before there was any mention of her marriage. In York, at the meeting of all the commissioners, I found very—and neutral dealing with the duke, and other her highness's commissioners in the beginning of the cause, as in the making of the others to proceed sincerely, and so furth. During which time I entered into general speech, sticking at our just defence in the matters that were objected against us, by the said queen's commissioners, looking certainly for no other thing, but summary cognition in the cause of controversy, with a final declaration to have followed. Upon a certain day the lord Lithington secretary rode with the duke to Howard, what purpose they had I cannot say, but that night Lithington returning, and entering in conference with me upon the state of our action, I was advised by him to pass to the duke, and require familiar conference, by the which I might have some feeling to what issue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the house where the duke was lodged, after renewing of our first acquaintance made at Berwick, the time before the assize of Leith, and some speeches passed betwixt us; he began to say to me, how he in England had favour and credit, and I in Scotland had will and friendship of many, it was to be thought there could be none more fit instruments, to travel for the continuance of the amity betwixt the realms than we two. And so that discourse upon the present state of both, and how I was entered in that action tending so far to the queen's dishonour, I was willed by him to consider how matters stood in this, what honour I had received of the queen, and what inconveniencies her defamation in the matters laid to her charge might breed to her posterity. Her respect was not little to the crown of England, there was but one heir. The Hamiltons my unfriends had the next respect, and that I should esteem the issue of her body would be the more affectionate to me and mine, than any other that could attain to that crown. And so it should be meetest, that she affirmed her

her dismission made in Lochlevin, and we do abstract the letters of her hand write, that she should not be defamed in England. My reply to that was, how the matter had passed in parliament, and the letters seen of many, so that the abstracting of the same could not then secure her to any purpose, and yet should we, in that doing, bring the ignominy upon us. Affirming it would not be fair for us that way to proceed, seeing the queen's majesty of England was not made privy to the matter, as she ought to be, in respect we were purposely come in England for that end, and for the—of the grants of our cause. The duke's answer was, he would take in hand to handle matters well enough at the court. After this, on the occasion of certain articles, that were required to be resolved on, before we entered on the declaration of the very ground of our action, we came up to the court, where some new commissioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament house at Westminster in presence of which commissioners of the said queen, and —through the——rebuking of the queen of England's own commissioners, we uttered the whole of the action, and produced such evidences, letters, and probations, as we had, which might move the queen's majesty to think well of our cause. Whereupon expecting her highness declaration, and seeing no great likelihood of the same to be suddenly given, but daily motions then made to come to an accord with the said queen, our matters in hand in Scotland, in the mean season, standing in hazard and danger, we were put to the uttermost point off our wit, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for justification of our cause, yet appeared no end, but continual motions made to come to some accord with the queen, and restore her to whole or half reign. I had no other answer to give them, but that I should neither do against conscience or honour in that matter. Notwithstanding seeing this my plain answer wrought no end, nor dispatch to us, and that I was informed that the duke began to mislike of me, and to speak of me, as that I had reported of the said queen irreverently, calling her——[a] and murderer, I was advised to pass to him, and give him good words and to purge myself of the things objected to me, that I should not open the sudden entry of his evil grace, nor have him to our enemy—considering his greatness. It being therewithal whispered, and shewed to me, that if I departed, he standing discontented and not satisfied, I might peradventure find such trouble in my way, as my throat might be cut before I came to Berrick. And therefore since it might well enough appear to her marriage, I should not put him in utter despair, that my good will could not be had therein. So few days before my departing I came to the park in Hampton Court, where the duke and I met together, and there I declared unto him that it was come to my care, how some misreport should be made of me to him, as that I should speak irreverently and rashly of the said queen my sovereign's mother, such words as before expressed that he might——[b] thereby my affection to be so alienate from her, as that I could not love her, nor be con-

[a] Probably *adulteress*. [b] Probably *suspect*.

tent

tent of her preferment, howbeit he might perſwade himſelf of the contrary, for as ſhe once was the perſon in the world that I loved beſt, having that honour to be ſo near unto her, and having received ſuch advancement and honour by her, I was not ſo ungrate or ſo unnatural ever to wiſh her body harm, or to ſpeak of her as was untruly reported of me (howſoever the truth was in the ſelf), and as to the preſervation of her ſon, now my ſovereign, had moved me to enter into this cauſe, and that her own preſſing was the occaſion of that was uttered to her ——c whenſoever God ſhould move her heart to repent of her bypaſt behaviour and life, and after her known repentance, that ſhe ſhould be ſeparate from that ungodly and unlawful marriage that ſhe was entered in, and then after were joined with ſuch a godly and honourable a perſonage, as were affectioned to the true religion, and whom we might truſt, I could find in my heart to love her, and to ſhew her as great pleaſure, favour, and good will, as ever I did in my life; and in caſe he ſhould be that perſonage, there was none whom I could better like of, the queen —— in —— of England being made privy to the matter, and ſhe allowing thereof, which being done, I ſhould labour in all things that I could, to her honour and pleaſure, that were not prejudicial to the king my ſovereign's eſtate, and prayed him not to think otherwiſe of me, for my affection was rather buried and hidden within me, awaiting until God ſhould direct her to know herſelf, than utterly alienated and abſtracted from her; which he ſeemed to accept in very good part, ſaying, Earl of Murray thou thinks of me that thing, whereunto I will make none in England or Scotland privy, and thou haſt Norfolk's life in thy hands. So departing, I came to my lodging, and by the way, and all night, I was in continual thought and agitation of mind, how to behave myſelf in that weighty matter, firſt, imagining whereunto this ſhould tend, if it were attempted without the queen's majeſty of England's knowledge and good will, this realm, and I myſelf in particular having received ſuch favour and comfort at her highneſs's hands, and this whole iſle ſuch peace and quietneſs, ſince God poſſeſſed her majeſty with the crown. And on the other part, ſeeing the duke had diſcloſed him to me, proteſting, none other were or ſhould be privy to our ſpeech, I tho't I could not find in my heart to utter any thing that might endanger him; moved to the uttermoſt with theſe cogitations, and all deſire of ſleep then removed, I prayed God to ſend me ſome good relief and outgate, to my diſcharge, and ſatisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in converſation with my lord of Leiceſter, in his chamber at the court, where he began to find ſtrange with me, that in the matter I made ſo difficult to him, ſtanding ſo preciſely on conference, and how when I had in my communication with the duke, come ſo far —— and there he made ſome diſcourſe with me, about that which was talke betwixt us, I perceiving that the duke had ——d the matter to my lord of Leiceſter, and thinking me thereby diſcharged at the duke's hands, I therefore I repeated the ſame communication in every point to my lord of

c Probably *diſhonour*. d Probably *diſcloſed*.

Leiceſter,

Leiceſter, who deſired me to ſhew the ſame to the queen's majeſty, which I refuſed to do, willing him if he tho't it might import her highneſs any thing, that he as one —— by her majeſty, and for many benefits received at her highneſs's hands is obliged to wiſh her well, ſhould make declaration of the ſame to her majeſty, as I underſtand by ſome ſpeech of her highneſs to me, he did. This my declaration to the duke was the only cauſe, that ſtaid the violence and trouble prepared for me unexecuted, as I have divers ways underſtood. The ſame declaration I was obliged to renew ſince in writings of —— ſent to my ſervant John Wood. The ſum whereof, I truſt, he ſhewed the duke, and ſomething alſo I wrote to himſelf, for it was tho't this ſhould redeem ſome time, that the duke ſhould not ſuddenly declare him our enemy, for his greatneſs was oft laid before me, and what friendſhip he had of the chief of the nobility in England, ſo that it might appear to the queen's majeſty of England — ſo cold towards us, and doing nothing publickly that might ſeem favourable for us, we had ſome cauſe to ſuſpect that her highneſs ſhould not be contrarious to the marriage when it ſhould be propoſed to her. The ſharp meſſage ſent by her majeſty with the lord Boyd, who had the like commiſſion from the duke tending ſo far to the ſaid queen's preferment, as it were propoſing one manner of conditions from both, gave us to think that her highneſs had been foreſeen in the duke's deſign, and that ſhe might be induced to allow thereof. But howbeit it was deviſed in England, that the lord of Lethington ſhould come as from me, and break the matter to her highneſs, as her majeſty in a letter declared that ſhe looked for his coming, yet that deviſe proceeded never of me, nor the noblemen at the convention could no wiſe accord to his ſending, nor allow of the matter motioned, but altogether miſliked it, as bringing with the ſame great inconveniencies to the ſurety and quietneſs of this whole iſle; for our proceedings have declared our miſliking and diſallowance of the purpoſe from the beginning, and if we had pleaſed he was ready for the journey. And in likewiſe it was deviſed to give conſent, that the ——* between the ſaid queen and Bothwell, ſhould be ſuffered to proceed in this realm, as it was deſired by the ſaid lord Boyd, by reaſon we could not underſtand what was the queen's majeſty's pleaſure, and allowance in that behalf. —And whereas ye mean, that her highneſs was not made privy of any ſuch intention, the fault was not in me. The firſt motion being declared, as I have written, to my lord of Leiceſter, and by him imparted to her majeſty, ſo far as I could perceive by ſome ſpeech of her highneſs's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how juſt neceſſity moved me not to require directly that which the duke appeared ſo —— unto. And for my threatenings, to aſſent to the ſame, I have expreſſed the manner; the perſons that laid the matter before me, were of my own company. But the duke ſince hath ſpoken, that it was his writing which ſaved my life at that time. In concluſion I pray you perſuade her majeſty, that ſhe let no ſpeeches nor any other thing paſſed and objected to my prejudice, move her

* Probably *divorce*.

majeſty

majesty to alter her favour towards me, or any ways to doubt of my assured constancy towards her highness; for in any thing which may tend to her honour and surety, I will, while I live, bestow myself, and all that will do for me, notwithstanding my hazard or danger, as proof should declare, when her majesty finds time to employ me.

[Here began the Appendixes to the Second Volume of the former Editions.]

No. I. (p. 310.)

William Maitland of Ledington, to my lord of Leicester, March 20th, 1570, from Ledington.

[An original.]

THE great desolation threatened to this whole realm, be the divisions thereof in dangerous factions, doth press me to frame my letters to your lordship, in other sort, then were behovefull for me, if I had no other respect, but only to maintain my private credit; therefore I am driven to furnish them with matter, which I know not to be plausible, whereupon by misconstruing my meaning, some there may take occasion of offence, thinking that I rather utter my own passions, than go about to inform your lordship truly of the state; but I trust my plain dealing shall bear record to the sincerity of my meaning; to make the same sensible, I will lay before your lordship's eyes, the plat of this country; which first is divided into two factions, the one pretending the maintenance of the king's reign, the other alledging the queen to have been cruelly dealt withall, and unjustly deprived of her state; the former is composed of a good number of nobility, gentlemen, and principal burroughs of the realme, who shall have, as Mr. Randolph beareth us in hand, the queen's majesty your sovereign's allowance and protection; the other hath in it some more principall of the nobility, and therewithall, good numbers of the inferior sort, throughout the whole realm, which also look assuredly that all kings do allow their quarrel and will aid them accordingly. What consequence this division will draw after it, I leave it to your lordships consideration, there is fallen out another division, accidentally, by my lord regent's death, which is like to change the state of the other two factions, to encrease the one, and diminish the other, which is grounded upon the regiment of the realm. Some number of noblemen aspire to the government, pretending right thereto by reason of the queen's demission of the crown, and her commission granted at that time for the regiment during the king's minority; another faction doth altogether repine against that division, thinking it neither fit nor tolerable, that three or four of the meanest sort amongst the earls, shall presume to challenge to themselves a rule over the whole realme, the next of the blood, the first in rank, the greatest alway both for the antientry of their houses, degree, and forces, being neglected; this order they think preposterous, that the meaner

meaner ſort ſhall be placed in public function to command, and the greater ſhall continue as private men to obey; beſides that, they think if the commiſſion had in the beginning been valuable (which the moſt part will not grant) yet can it not be extended to the preſent, for that the conditions thereunto annexed are ceaſed, and ſo the effect of the whole void; the latter part of this diviſion hath many pretences, for beſides the queen's faction, which is wholly on that ſide, a great number of theſe that have heretofore profeſſed the king's obedience do favour the ſame, and will not yield to the government of the other, whoſe preferment for reſpects they miſlike, when the queen's faction ſhall be increaſed with a part of the king's, and theſe not of leaſt ſubſtance, and yow may judge what is like to enſue; an other incident is like to move men to enter in further diſcourſes, it is given out here in Scotland that the queen's majeſty is ſetting forth ſome forces towards the border, which ſhall enter this realm, to countenance theſe, that aſpire to the regiment, and ſuppreſs the contrary faction, and bruits are ſpread, that the ſame ſhall be here out of hand; theſe that think themſelves of equal force with their contrary faction at home, are rather an overmatch to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of neceſſity, and evil counſellors, and ſeek alſo the maintenance of ſome foreign prince, whereby her majeſty (altho' no further inconvenient were to be feared) muſt be driven to exceſſive charges, and it would appear there were a conſpiracy of all the elements at one time to ſet us together by the ears, for now when the rumour of your forces coming towards the border is ſpread abroad, even at the ſame time is arrived at Dumbarton, a galzeon with a meſſenger ſent expreſſly from the king of France, to that part of the nobility that favours the queen, to learn the ſtate of the country, and what ſupport they lack or deſire, either for furtherance of her affairs, or for their own ſafety; aſſuredly this meſſage will be well received and ſuffered accordingly, this is the preſent ſtate of Scotland. Now if your lordſhip would alſo know my opinion, how to choice the beſt, as the caſe ſtandeth; I will in that alſo ſatisfie you lordſhip, I am required from them to deal plainly, and your lordſhip ſhall judge whether I do ſo or not; for I think it plain dealing, when I ſimply utter my judgment, and go not about to diſguiſe my intents. I truſt the queen's majeſty hath a deſire to retain at her devotion the realme of Scotland, which ſhe hath gone about to purchaſe, with beſtowing great charges, and the loſs of ſome of her people; this deſire is honourable for her highneſs, profitable for both the countrys, and of none to be diſallowed; ſpecially if it be (as I take it) to have the amity of the whole realm, for it is not a portion of Scotland can ſerve her turn, nor will it prove commodious for her to ſuit the friendſhip of a faction of Scotland, for in ſo doing, in gaining the beſt, ſhe may loſe the more, and the ſame would bring all her actions with us in ſuſpicion, if ſhe ſhould go about to nourith factions amongſt us, which meaning I am ſure never entered into her majeſty's heart; then if it be the friendſhip of the whole ſhe doth demand, let her not, for pleaſure of one part, go about to overthrow the remnant, which will not be ſo faiſable, as ſome may give her to underſtand; but rather, by

way

way of treaty, let her go about to pacify the whole ſtate, bring the parties to an accord, reduce us all by good means to an uniformity, ſo ſhall ſhe give us all occaſion to think well of her doings, that ſhe tendeth our wealth, and provokes us univerſally to wiſh unto her majeſty a moſt proſperous continuance; by the contrary, if, for the pleaſure of a few, ſhe will ſend forces to ſuppreſs theſe whom they miſlike, and ſo conſequently offend many; men be not ſo faint hearted, but they have courage to provide for their own ſafety, and not only will embrace the means partly offered, but will alſo procure further, at the hand of other princes. This for mine own part, I do abhor, and proteſt I deſire never to ſee forces of ſtrangers to ſet foot within this land, yet I know not what point neceſſity may drive men into, as if men in the middle of the ſea were in a ſhip, which ſuddenly ſhould be ſet on fire, the fear of burning would make them leap into the ſea, and ſoon after the fear of the water would drive them to cleave again to the fired ſhip, ſo for avoiding preſent evil, men will many times be inforced to have recourſe to another no leſs dangerous. Truſt me forces will not bring forth any good fruit to her majeſty's behove, it muſt be ſome way of treaty ſhall ſerve the turn, wherein by my former letters your lordſhip doth know already what is my judgment; you ſee how plainly I do write, without conſideration in what part my letters may be taken, yet my hope is that ſuch as will favourably interpret them, ſhall think that I mean as well to her majeſty, and that realme, as theſe that will utter other language. I wiſh the continuance of the amity betwixt the two countrys, without other reſpect, and will not conceal from her majeſty any thing, to my knowledge, tending to the prejudice thereof; if I ſhall perceave her majeſty taking frank dealings in evil part, I ſhall from thenceforth forbear; in the mean ſeaſon I will not ceaſe to trowble your lordſhip, as I ſhall have occaſion to write, and ſo I take my leave of your lordſhip.

No. II. (p. 313.)

Letter of queen Elizabeth to the earle of Suſſeks, July 2d, 1570.

[Calderw. MS. Hiſtory, vol. 2. p. 189.]

RIGHT truſty and well beloved couſin we greet you well, this day we have received your letters of 28 the laſt month, with all other leters, ſent from Scotland, and mentioned in your letters, whereunto anſwer is deſired to be given before the tenth of this month; which is a very ſhort time, the weightineſs of the matters, and the diſtance of the places conſidered; nevertheleſs we have, as the ſhortneſs could ſuffer it, reſolved to give this anſwer following, which we will that yow, by warrant hereof ſhall cauſe to be given in our name to the earl of Lennox and the reſt of the noblemen conveened with him. Where it is by them, in their letters, and writings alledged, that for lack of our reſolute anſwer, concerning the eſtabliſhing of the regiment of the realm, under their young king, great inconveniencies have happened, and therefore they have deferred now at their laſt convention to determine of the ſamine, who ſhall have the place of governour, until the 21ſt this month, before which time they require to have our adviſe, in what perſon or perſons the government of that realm ſhall be eſtabliſhed,

eſtabliſhed, we accept very thankfully the goodwill and reputation they have of us, in yielding ſo frankly to require and follow our adviſe in a matter that toucheth the ſtate of their king, theirſelves, and realm ſo near, wherein as we perceive, that by our former forbearing to intermeddle therein, they have taken ſome diſcomfort, as though that we would not have regard to their ſtate and ſurety, ſo on the other part, they of their wiſdoms ought to think, that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governour by name, for that howſoever we ſhould mean well if we ſhould do ſo, yet it could not be without ſome jealouſy in the heads of the eſtate, nobility, and community of that realm, that the government thereof ſhould be by me ſpecially named, and ordained; ſo as finding difficulty on both parts, and yet miſliking moſt that they ſhould take any diſcomfort by our forbearing to ſhow our mind therein, we have thought this ſort for to proceed, conſidering with ourſelves how now that realm had been a good ſpace of time ruled in the name of their king, and by reaſon of his baſe age, governed heretofore by a very careful and honourable perſon, the earle of Murray, untill that by a miſchievous perſon (an evil example), he was murdered, whereby great diſorder and confuſion of neceſſity had, and will more follow, if determination be not made of ſome other ſpecial perſon, or perſons, to take the charge of governor, or ſuperior ruler, ſpeciall for adminiſtration of law and juſtice, we cannot but very well allow the deſire of theſe lords to have ſome ſpeciall governor to be choſen; and therefore being well aſſured, that their own underſtanding of all others is beſt to conſider the ſtate of that realm, and to diſcern the abilities and qualities of every perſon meet and capable for ſuch a charge, we ſhall better ſatisfie ourſelves, whom they by their common conſent ſhall firſt chooſe, and appoint to that pupoſe, then of any to be by us aforehand uncertainly named, and that becauſe they ſhall perceave that we have care of the perſon of their king, who by nearneſs of blood, and in reſpect of his ſo young years, ought to be very tender and dear to us, we ſhall not hide our opinion from them, but if they ſhall all accord to name his grandfather, our couſin, the earl of Lennox to be governor alone, or jointly with others (whom we hear to be in the mean time by their common conſent appointed lieutenant-general) reaſon moveth us to think that none can be choſen in that whole realm, that ſhall more deſire the preſervation of the king, and be more meet to have the government for his ſafety, being next to him in blood of any nobleman of that realm, or elſewhere; and yet hereby, we do not mean to preſcrive to them this choice, except they ſhall, of themſelves fully and freely allow thereof; furthermore we would have them well aſſured, that whatſoever reports of deviſes, are, or ſhall be ſpread or invented, that we have already yielded our mind to alter the ſtate of the king or government of that realm, the ſame are without juſt cauſe or ground by us given, for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuſe, what the queen of Scots on her part ſhall ſay and offer, not only for her own aſſurance, but for the wealth of that realm, yet not knowing what the ſame will be, that ſhall be offered, we mean not to break the order of law and juſtice, by advancing

vancing her cauſe, or prejudging her contrary, before we ſhall deliberately and aſſuredly ſee, upon the hearing of the whole, ſome place neceſſary, and juſt cauſe to do; and therefore finding that realm ruled by a king, and the ſame affirmed by laws of that realm, and therefore inveſted by coronation and other ſolemnities uſed and requiſite and generally ſo received be the whole eſtates, we mean not by yielding to hear the complaints or informations of the queen againſt her ſon, to do any act whereby to make concluſion of governments, but as we have found it, ſo to ſuffer the ſame to continue, yea not to ſuffer it to be altered by any means that we may impeſhe, as to our honour it doth belong, as by your late actions hath manifeſtly appeared, untill by ſome juſtice, and clear cauſe, we ſhall be directly induced otherwiſe to declare our opinion; and this we would have them to know to be our determination and courſe that we mean to hold, whereon we truſt they for their king may ſee how plainly and honourably we mean to proceed, and how little cauſe they have to doubt of us, whatſoever to the contrary they have or ſhall hear; and on the other part, we pray them of their wiſdoms to think how unhonourable, and contrary to all human order it were for us, when the queen of Scotland doth ſo many ways require to hear her cauſe, and doth offer to be ordered be us in the ſame, as well for matters betwixt ourſelves and her, as betwixt herſelf and her ſon and his party of that realm, againſt which offers no reaſon could move us to refuſe to give ear, that we ſhould aforehand openly and directly, before the cauſes be heard and conſidered, as it were, give a judgment or ſentence either for ourſelves or for them whom ſhe maketh to be her contraries. Finally ye ſhall admoniſh them, that they do not, by miſconceiving our good meaning towards them, or by indirect aſſertions of their adverſary grounded on untruths, hinder or weaken their own cauſe, in ſuch ſort, that our good meaning towards them ſhall not take ſuch effect towards them, as they ſhall deſire, or themſelves have need of. All this our anſwer ye ſhall cauſe be given them, and let them know, that for the ſhortneſs of time, this being the end of the ſecond of this month, we neither could make any longer declaration of our mind, nor yet write any ſeveral letters, as if time might have ſerved we would have done. 2d July 1570.

No. III. (p. 314.)

The biſhop of Roſs to ſecretary Lidington from Chattiſworth.

[15th June 1570.]

I HAVE received your letters dated the 26th of May, here at Chattiſworth, the 10 of January, but on the receipt thereof I had written to you at length, like as the queen did with my lord Levington, by the which you will be reſolved of many points contained in your ſaid letter. I writ to you that I received your letter and credit from Thomas Cowy at London, and ſent to Leiceſter to know the queen of England's mind whether you ſhould come here or not. He ſent me word, that ſhe will no ways have you come as one of the commiſſioners, becauſe ſhe is yet offended with you; and therefore it appears good that ye come not hither, but remain where you are, to uſe your wiſdom

dom and diligence, as may beſt advance the queen's affairs, for I perceive your weill and ſafety depends thereon, in reſpect of the great feid and enmmitie born againſt you by your Scots people, and the great heirſhip taken of your father's landis; both were ſure demonſtrations of their malice. Yet I am encouraged by your ſtout and deliberate mind. Aſſure yourſelf no diligence ſhall be omitted to procure ſupports forth off all parts where it may be had. We will not refuſe the aid neither of Papiſt, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And ſeeing my lord Seaton is deſirous to go into Flanders, the queen thinks it very neceſſary that he ſo do, for the duke D'Alva has gotten expreſs command of the king of Spain to give ſupport, and I am ſure that there he ſhall have aid both of Flanders and the pope, for it abides only on the coming of ſome men of countenance, to procure and receive the ſame. He muſt needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the ſame here. The queen has already written to the duke D'Alva for this effect, advertizing of his coming; there is certain ſums of money coming for ſupport of the Engliſhmen, as I wrote to you before from the pope. Whereupon I would he had a general commiſſion to deal for them, and receive ſuch ſums as ſhall be given. The means ſhall be found to cauſe you be anſuerit of the ſums you writ for, to be diſpoiſit upon the furniſhing of the caſtle of Edenburgh, ſo being ſome honeſt and true man were ſent to Flanders to receive it, as ſaid is, which I would you prepared and ſent. Orders ſhall be taken for the metals as you writ of. We have proponit your avyce in entering to treat with the queen of England, for retiring of her forces puntyoally for lack of aid. Your anſwers to the Engliſhmen are tho't very good, but above all keep you weill out of their hands, in that caſe, eſtote prudentes ſicut ſerpentes. You may take experience with the hard dealing with me, how ye would be uſed if ye were here, and yet I am not forth of danger, being in medio nationis pravæ; always no fear, with God's grace, ſhall make me ſhrink from her majeſty's ſervice. Since the queen of England has refuſed that you come here, it appears to me quod nondum eſt ſedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the moſt fit for the purpoſe, Rothes were alſo meet, if he and I were not both of one ſirname; ſo the treaty would get the leſs credit either in Scotland or here. Therefore avys, and ſend the beſt may ſerve the turn, and fail not Robert Melvil come with them, whoever comes, for ſo is the queen's pleaſure; in my laſt packet, with James Fogo, to you, in the beginning of May, I ſent a letter of the queen's own handwriting to him, which I truſt ye received. I am ſorry ye come not for the great relief I hoped to have had by your preſence, for you could weil have handled the queen of England, after her humour, as you were wont to do. The reſt I refer to your good wiſdom, praying God to ſend you health. From Chattiſworth the 15th of January.

No. IV. (p. 327.)

The declaration of John Cais, to the lords of Grange and Lethington younger, upon the 8th day of Oct. 1571.

WHEREAS you deſire to know the queen's majeſty's pleaſure, what ſhe will do for appeaſing of theſe controverſies, and therewith has offered yourſelves to be at her commandment, touching the common tranquillity of the whole iſle, and the amity of both realms; her pleaſure is in this behalf, that ye ſhould leave off the maintenance of this civil diſcord, and give your obedience to the king, whom ſhe will maintain to the utmoſt of her power.

AND in this doing, ſhe will deal with the regent and the king's party, to receive you into favour, upon reaſonable conditions for ſecurity of life and livings.

ALSO ſhe ſays that the queen of Scotts, for that ſhe has practiſed with the pope and other princes, and alſo with her own ſubjects in England, great and dangerous treaſons againſt the ſtate of her own country, and alſo to the deſtruction of her own perſon, that ſhe ſhall never bear authority, nor have liberty while ſhe lives.

IF ye refuſe theſe gentle offers, now offered unto you, ſhe will preſently aid the king's party, with men, ammunition, and all neceſſary things, to be had againſt you.

WHEREUPON her majeſty requires your anſwer with ſpeed, without any delay.

No. V. (p. 334.)

Articles ſent by Knox to the General Aſſembly, Auguſt 5th, 1572.

[Calderw. MS. Hiſtory, vol. 2. 356.]

FIRST, deſiring a new act to be made ratifying all things concerning the king and his obedience that were enacted of before without any change, and that the miniſters who have contraveened the former acts be corrected as accordeth.

THAT ſute be made to the regent's grace and nobility maintaining the king's cauſe, that whatſoever proceedeth in this treaty of peace they be mindful the kirk be not prejudg'd thereby, in any ſort, and they eſpecially of the miniſters, that have been robbed of their poſſeſſions within the kirk during the time of the troubles, or otherwiſe dung and injured, may be reſtored.

To ſute at the regent, that no gift of any biſhoprick or other benefice be given to any perſon, contrary to the tenor of the Acts made in the time of the firſt regent of good memory, and they that are given contrar the ſaid acts, or to any unqualified perſon, may be revoked and made null be an act of ſecret council, and that all biſhopricks, ſo vacand may be preſented, and qualified perſons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commiſſioners of the nobility and of the kirk in the month of January laſt, and in ſpecial to complain upon the giving of biſhoprick of Roſs to the lord Methven.

THAT

THAT no pentions of benefices, great or ſmall, be given be ſimple donation of any lord regent, without conſent of the poſſeſſor of the ſaid benefices having tittle thereto, and the admiſſion of the ſuperintendent or commiſſioners of the province where this benefice lyeth, or of the biſhops lawfully elected according to the ſaid order taken at Leith; and deſire an act of council to be made thereupon, until the next parliament, wherein the ſamine may be ſpecially enacted, with inhibition to the lords of ſeſſion to give any letters or decreets, upon ſuch ſimple gifts of benefices or pentions not being given in manner above rehearſed, and that the kirk preſently aſſembled declare all ſuch gifts null ſo far as lyeth in their power.

THAT the firſt form of preſentation to benefices, which were in the firſt and ſecond regent's time, be not changed as now it is commonly; but that this clauſe be contained in the preſentation, that if the perſon preſented make not reſidance, or be ſlanderous or found unworthy either in life or doctrine be the judgment of the kirk (to which alwiſe he ſhall be ſubject) or meet to be tranſported to another room at the ſight of the kirk, the ſaid preſentation and all that ſhall fall thereupon ſhall be null and of no force nor effect; and this to have place alſo in the nomination of the biſhops.

THAT an act be made in this aſſembly that all things done in prejudice of the kirk's aſſumption of the third, either by papiſts or others, by giving of fews, life-rents, or taks, or any otherwiſe diſponing the ſaid aſſumed thirds, be declared null with a ſolemn proteſtation the whole kirk diſaſenteth thereto.

THAT an act be made decerning and ordaining all biſhops, admitted to the order of the kirk now received, to give account of their whole rents, and intromiſſions therewith once in the year, as the kirk ſhall appoint, for ſuch cauſes as the kirk may eaſily conſider the ſame to be moſt expedient and neceſſar.

ANENT the juriſdiction of the kirk, that the ſame be determined in this aſſembly, becauſe this article hath long been poſtponed to make ſute to the regent and council for remedy againſt meſſengers and excommunicate perſons.

LAST, That orders be taken anent the procurers of the kirk, who procure againſt miniſters and miniſtry, and for ſutting of juſtice of the kirk's actions in the ſeſſion.

No. VI. (p. 337.)

Declaration of Henry Killigrew, Eſq; upon the peace concluded the 23d Feb. 1572.

BE it known to all men, by theſe preſents, that I Henry Killigrewe, Eſq; ambaſſador for the queen's majeſty of England, Forasmuch as, at the earneſt motion and ſolicitation being made to me, on her highneſs's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the ſame favourably extended towards the right honourable George earl of Huntly, lord Gordon and Baidzenuch, and the lord John Hamilton, ſon to the duke's grace of Chaſtellarault, and commendatour of the abby of Abirbrothock, for the ſurety of their

lives, livings, honours, and goods of them, their kinsfolks, friends, ſervants, and partakers, now properly depending on them; in treating of the which ſaid pacification, the murders of the late earl of Murray uncle, and the earl of Levenax grandfather, late regent to the king's majeſty of Scotland his realm and lieges, as alſo an article touching the diſcharge for the fructis or moveable goods, which the ſaid perſons have taken fra perſons profeſſing the king's obedience, before the damages done or committed by them, ſince the 15th day of Junij 1567, and before the penult day of July laſt by paſſed, by reaſon of the common cauſe or any thing depending thereupon, being thought by the king's commiſſaries matteris of ſuch wecht and importance, as the king's preſent regent could not conveniently, of himſelf, remit or diſcharge the ſame. Yet in reſpect of the neceſſity of the preſent pacification, and for the weill of the king, and common quietneſs of this realm and lieges, it is accorded, that the matters of remiſſion of the ſaid murderers, and of the diſcharge of the ſaid fructis, moveable goods, and other damages, be moved by the perſons deſiring the ſaid remiſſions and diſcharge to the queen's majeſty my ſovereign, as to the princeſs neareſt both in blood and habitation to the king of Scots. And whatſoever her majeſty ſhall adviſe and counſel touching the ſaid remiſſion and diſcharge, the ſaid lord regent, for the weill of the king and univerſal quietneſs of the realm of Scotland, ſhall perform, obſerve, and fulfil the ſame. And in likewiſe, the ſaid earl Huntly, and commendatour of Abirbrothock, being urged to have delivered pledges and hoſtages for obſervation of the conditions of the ſaid accord and pacification, hath required me in place thereof, in her majeſty's name, by virtue of my commiſſion, to promiſe for them, that they ſhall truly and faithfully obſerve and keep the ſaid pacification, and all articles and conditions thereof, for their parts, and that it would pleaſe her majeſty to interpoſe herſelf, as ſurety and cautioner for them to that effect, to the king's majeſty of Scotland their ſovereign and his ſaid regent, which I have done and promiſe to do, by virtue of her majeſty's commiſſion, as by the honourable and plain dealing of the ſaid earl and lord, their intention to peace well appears, the ſame being moſt agreeable to the mind of the queen's majeſty my ſovereign, which ſo long by her miniſters hath travelled for the ſaid pacification, and in the end, at her motion and ſolicitation, the ſame is accorded, knowing her majeſty's deſire, that the ſame may continue unviolate, and that the noblemen and others now returning to the king's obedience ſhall have ſufficient ſurety for their lives, livings, honours, and goods. Therefore in her majeſty's name, and by virtue of my commiſſion, I promiſe to the aforeſaid earl Huntly and commendator of Abirbrothock, that by her majeſty's good means, the ſaid remiſſion and diſcharge ſhall be purchaſed and obtained to them, their kinsfolks, friends, ſervants, and partakers, now properly depending upon them (the perſons ſpecified in the firſt abſtinence always excepted), as alſo that the ſaid pacification ſhall be truly obſerved to them, and that her majeſty ſhall interpoſe herſelf as conſervatrix thereof, and endeavour herſelf to cauſe the ſame to be truly and ſincerely kept in all points and articles thereof accordingly. In witneſs whereof, I have to this preſent ſubſcribed with my hand,

and

and ſealed the ſame with mine own ſeal the 13th day of Feb. Anno Domini 157[illegible]. And this to be performed by me, betwixt the date hereof, and the parliament which ſhall be appointed for their reſtitution, or at the furtheſt before the end of the ſaid parliament. Sic ſubſcribitur.

The biſhop of Glaſgow's note concerning the queen of Scotland's dowry.

[1576. Cott. Lib. Calig. B. 4.]

THE queen of Scotland, dowager of France, had for her dowry, beſides other poſſeſſions, the dukedom of Turene, which was ſolemnly contracted and given to her by the king and eſtates of parliament; which dukedom ſhe poſſeſſed peaceſully till 1567, and then, upon the pacification betwixt the king and Monſ. his brother, to augment whoſe appenage this dutchy was given, to which the queen of Scotland yielded upon account of princes, who were her near relations, provided the equivalent which was promiſed her ſhould be faithfully performed. So that year, after a great many ſolicitations, in lieu of that dutchy, ſhe had granted her the county of Vermandaiſe with the lands and bailiwicks of Seuley and Vetry: tho' 'tis known that county and the other lands were not of equal value with Turene, but was promiſed to have an addition of lands in the neighbourhood to an equal value. Upon this letters patent were granted, which were confirmed in the courts of parliament, chamber of accounts, court of aids, chamber of the treaſury, and others neceſſary; upon which ſhe entered into poſſeſſion of that county, &c. Afterwards, by a valuation of the commiſſioners of the chamber of accounts, it was found that the revenue of that county, &c. did not amount to thoſe of Turene, by 3000 livres. But inſtead of making up this deficiency according to juſtice, ſome of the privy council, viz. M. de Cheverney, the preſidents of Bellievre, Nicocholay, and St. Bonet, in the name of the king, notwithſtanding of her aforeſaid loſſes, did ſell and alienate the lands of Senlis, and the dutchy of Eſtaimpes, to madame de Montpenſier, from whom the king received money; of which ſale the counſellors aforeſaid obliged themſelves to be guarantees, which hath hindered the aforeſaid queen to have juſtice done her. So that madam de Montpenſier hath been put in poſſeſſion of theſe lands of Senlis, contrary to all the declaration, proteſtation, and aſſurances of the king of France to queen Mary's ambaſſadors. So that the queen of Scotland is diſpoſſeſſed of her dowry, contrary to all equity, without any regard to her quality.

No. VII. (p. 341.)

A letter from the lord of Lochlevin to the regent Mortoun.

[3d March 1577. E of Mortoun's Archives. Bund. B. No. 19.]

IT will pleaſe your grace, I received your grace's letter, and has conſidered the ſame. The parſon of Camſey was here at me before the receit thereof, directed fra my lord of Mar, and the maſter anent my laſt written, which was the anſwer of the writing that the maſter ſent to me, which I ſend to your grace, deſiring me to come to

Sterling to confer with them. I had given my anſwer before the receit of your grace's letter, that I behuiſſit to be beſyd Sanct Androis, at ane friends tryſt, which I might not omit. I underſtand by my ſaid couſin, that the king's majeſty is to write to divers of the nobility to come there, anent your lordſhip's trial, and that he had written before his departure to my lord Monthrois. I underſtand likewiſe, he will write to your grace to come there for the ſame effect, which I tho't good to make your grace foreſeen of the ſame, praying your grace, for the love of God Almighty, to look upon the beſt, and not to ſleep in ſecurity, but to turn you with unfeigned heart to God, and to conſider with yourſelf, that when the king's majeſty was very young, God made him the inſtrument to diveſt his mother from her authority, who was natural princeſs, for offending of his Divine Majeſty, and that there ran no vice in her, but that the ſame is as largely in you, except that your grace condeſcended not to the deſtruction of your wife. For as to harlotry and ambition, I think your grace has as far offended God, and far more in avaritiouſneſs, which vycis God never left unplagued, except ſpeedy repentance, which I pray God grant to your grace, for otherwiſe your grace can never have the love of God nor man. I pray your grace flatter not yourſelf; for if your grace believes that ye have the good will of them that are the king's good willers ye deceive yourſelf; for ſurely I ſee perfectly that your own particulars are not contented, lat be the reſt, and that moſt principally for your hard dealing. I pray your grace, beir with me that I am thus hamlie, for certainly it proceeds from no grudge, but from the very affection of my heart towards your grace, which has continued ſince we were acquainted. And now I ſee, becauſe the matter ſtands in your grace's handling with the king's majeſty, for certainly, if your grace fall forth with him now, I ſee not how ye ſhall meet hereafter; pray I your grace to call to God, and look on the beſt, and caſt from your grace both your vices, to wit, ambition and avaritiouſneſs. I am riding this day to Sanct Androis, and truſt to return on Wedneſday at the fartheſt. If your grace will command me in any offices that are honeſt, that I may do your grace pleaſure in at Sterling, advertiſe of your grace's mind, and ſhall do to my power and knowledge, and this with my heartlie, &c. &c.

To our truſty couſin the lord Lochlevin.

[From the original. E. of Morton's Archives, Bund. B. No. 31.]

TRUSTY couſin, after our moſt hearty commendations, we received your letter of the 3d of March, and as we take your plainneſs therein in good part, as proceeding from a friend and kinſman, in whoſe good affection towards us we never doubted, ſo ye may not think it ſtrange that we purge ourſelf ſo far of your accuſation, as in conſcience we find not ourſelf to have offended in. As touching our offence to God, we intend not to excuſe it, but to ſubmit us to his mercy; for ambition ſurely we think none can juſtly accuſe us; for in our private eſtate we could, and can live as well contented, as any of our degree in Scotland, without further aſpiring. The bearing too the charge of the government of the realm, indeed, mon lead us, or any other

other that ſhall occupy that place, not ſimply to reſpect ourſelf, but his majeſty's rowme, which we ſupply, and therein not tranſcending the bounds of meaſure, as, we truſt, it ſhall not be found we have done, it ought not to be attributed to any ambition in us. For as ſoon as ever his majeſty ſhall think himſelf ready and able for his own government, none ſhall more willingly agree and advance the ſame nor I, ſince I think never to ſet my face againſt him, whoſe honour, ſafety, and preſervation has been ſo dear unto me, nor I will never believe to find otherwiſe at his hand than favour, although all the unfriends I have in the earth were about him, to perſuade him to the contrary. As we write unto you, our friendly dealing and confidence in the houſe of Man is not thankfully acquit; as we truſt yourſelf conſiders; but becauſe the ambaſſadors of England, my lord of Angus, the chancellor, treaſurer, and ſome noblemen rides weſt this day to ſee the king, we pray you heartily addreſs yourſelf to be there as ſoon as ye can, and as ye ſhall find the likelihood of all things, let us be advertized thereof, with your own advice, by Alex. Hay, whom we have thought good to ſend weſt, ſeeing my lord of Angus from Sterling rides to Douglas. And ſo we commit you in the protection of God. At Holyrood houſe, the 4th of March 1577.

For the avaritiouſneſs laid to our charge, indeed it lies not in us ſo liberally to deal the king's geare, as to ſatisfy all cravers, nor never ſhall any ſovereign and native born prince, let be any officer, eſchew the diſdains of ſuch, as thinks them judges to their own reward; in many cauſes I doubt not to find the aſſiſtance of my friends, but where my actions ſhall appear unhoneſt, I will not crave their aſſiſtance, but let me bear my own burthen.

No. VIII. (p. 257.)

Letter of Walſingham's to Randolph, Feb. 3, 1580-1.

[Cott. Lib. Calig. C. 6.]

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the laſt directed unto his lordſhip, containing a report of your negociation with the king and his council, in your ſecond audience, wherewith having made her majeſty acquainted, ſhe ſeemed ſomewhat to *miſlike*, that you ſhould ſo long *defer to deal for the enlargement of* Empedocles. But I made anſwer in your behalf, that I thought you were directed by the advice of the ſaid Empedocles *friends*, in the ſoliciting of that cauſe, who knew what time was fitteſt for you to take to deal therein, with moſt effect, and beſt ſucceſs, with which anſwer, her majeſty did in the end reſt very well ſatisfied, touching that point.

Your putting of us in hope that d'Aubigny might eaſily be won at her majeſty's devotion, was at firſt interpreted to have been ironie ſpoke by you. But ſince it ſeemeth you inſiſt upon it, I could wiſh you were otherwiſe perſuaded of the man, or at leaſt kept that opinion to yourſelf, for conſidering the end and purpoſe of his coming into Scotland, as may be many ways ſufficiently proved, was only to advance the queen's liberty, and reception into that government, to overthrow

overthrow religion, and to procure a foreign match with Villenarius, wherein the incloſed copy, which you may uſe to good purpoſe there, ſhall partly give you ſome light; there is no man here can be perſuaded that he will change his purpoſe, for ſo ſmall advantage as he is likely to find by it, and therefore you ſhall do well to forbear to harp any more upon that ſtring, as I have already written to you. The prince of Orange ſending, I fear will not be in time that it may do any good; for beſides that theſe people are in themſelves ſlow in their reſolutions, their own affairs are, at preſent, ſo great, their ſtate ſo confuſed, and the prince's authority ſo ſmall, that he cannot ſo ſoon take order in it; and yet for mine own part, I have not been negligent or careleſs in the matter, having, more than three weeks paſt, ſent one about it, from whom nevertheleſs I do yet hear nothing. The letters you deſire ſhould be written thither by the French miniſters, I have given order to Mr. Killingrew to procure, who, I doubt not, will carefully perform it, ſo that, I hope, I ſhall have them to ſend you by the next. And ſo I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving couſin and ſervant,

FRA. WALSINGHAM.

This letter is an original, and in ſome parts of it wrote in cyphers and explained by another hand. By Empedocles is underſtood Morton. By Villenarius the king of Scots, D'Aubigney is marked thus o 1 o

3 *Feb.* 1580.

Sundry notes gathered upon good diligence given, and in time to be better manifeſted, being now thought meet to be in convenient ſort uſed, and laid againſt D'Aubigny, to prove him abuſing the king, the nobility, and that ſtate.

[Cott. Lib. Calig. C. 6. An original.]

FIRST, it hath been informed, by credible means, that D'Aubigney was privy and acquainted with la Navè the king's mother's ſecretary, coming into Scotland, and of his errand there, tending chiefly to perſuade the king, to think and eſteem it an evil preſident for princes, that ſubjects might have power to deprive their lawful ſovereigns, as they did his mother, who was not minded, by any mean, to defeat him, either of the preſent government of that realm, or yet of the poſſeſſion of the crown and inheritance thereof, but rather to aſſure the ſame to him: and that for the accompliſhment of that aſſurance, the king ſhould have been adviſed and drawn to have governed, for ſome ſhort time, as prince, calling D'Aubigny to riſe as governor of the prince, by commiſſion from the queen his mother, until the king's enemies were ſuppreſſed; after which time D'Aubigny ſhould have power given to eſtabliſh and reſign that kingdom to the king, by his mother's voluntary conſent, whereby all ſuch, as had before been in action againſt the queen or her authority, might be brought to ſtand in the king's mercy. And for that the king might live in more ſurety, D'Aubigny ſhould be declared both ſecond perſon in ſucceſſion of that crown, and alſo lieutenant general of Scotland,

land, and that D'Aubigny before his departure out of France, received commiſſion from the king's mother to the effects remembered, or near the ſame. That in this behalf he had conference with the biſhops of Glaſgow, and Roſs, and with ſir James Baford, with which perſons, and with the duke of Guiſe, he had and hath frequent intelligence, and by ſir James Baford he was adviſed to confer with the lord John Hamilton before his repair into Scotland, whereunto he agreed, and yet afterwards he ſent one John Hamilton to the ſaid lord John to excuſe him in this part, alledging, that he did forbear to come to him, leſt thereby he ſhould marr or hinder greater effects to be executed by him in Scotland.

That before his coming into that realm, the nobility and country were well quieted and united in good concord, with great love betwixt the king and nobility, and amongſt the nobleſſe, but hath both drawn the king againſt ſundry of the chiefeſt of his nobility, that have been moſt ready, and have expended their blood and poſſeſſions to preſerve religion, and defend the king's perſon, his government and eſtate, and alſo hath given occaſion of great ſuſpicions and offence to be engendered betwixt the king and his nobility, and eſpecially with ſuch as have been in action againſt the king's mother, and her authority, who by force and means of the ſaid commiſſion and practice, ſhould have been brought into moſt dangerous condition; and who alſo may find themſelves in no ſmall perill while he poſſeſſes the king's ear, abuſeth his preſence, and holdeth ſuch of the principal keys and ports of his realm, as he preſently enjoyeth.

That he hath drawn the king not only to forget the great benefits done to him and his realme, by the queen's majeſty of England, but alſo to requite the ſame with ſundry ſigns of great unthankfulneſs, and wounding therewith the honour of her majeſty, and thereby hath adventured to ſhake the happy amity long time continued betwixt thoſe princes.

And whereas theſe griefs were to be repaired by gentle letters and good offers, to have paſſed and been done betwixt them: In which reſpect the king and council having reſolved to write to her majeſty, for her highneſs better ſatisfaction in the late negotiation of Mr. Alexander Hume of Northberwick, had given order to the king's ſecretary to frame that letter: He minding to break the bond of amity in ſunder, willed the ſecretary to be ſure that nothing ſhould be inſerted in that letter, whereby the king ſhould crave any thing at her hands, ſeeking thereby to cut off all loving courteſies betwixt them, as by the declaration of the ſaid ſecretary may be better learned, and thereupon further approved.

That under the hope and encouragement of D'Aubigny's protection, Alexander King preſumed with that boldneſs to make his lewd harangue, and by his means hath hitherto eſcaped chaſtiſement and correction, due for his offence.

That ſir James Baford, condemned of the ſlaughter of the king's father, hath been called into the realm by Lennox, without the privity of the king. And whereas the ſaid ſir James found in a green velvet deſk, late the earl of Bothwell's, and ſaw and had in his hands the principal band of the conſpirators in that murder, and can

beſt

beſt declare and witneſs who were authors and executors of the ſame; he is drawn by Lennox to ſuppreſs the truth, and to accuſe ſuch as he himſelf knoweth to be innocent; and as by order of law, will be ſo found, if they may have due trial, which, contrary to all juſtice, is by Lennox means denied.

This is the charge againſt D'Aubigny, mentioned in the foregoing letter by Walſingham; but by Baford they mean ſir James Balfour.

No. IX. (p. 368.)

The copy of the king of France his directions ſent to Scotland with Seintar de la Motte Fenelon. Tranſlated out of the French.

[Calderw. MS. Hiſtory, vol. 31. p. 208.]

FIRST, on their moſt chriſtian majeſty's part, he ſhall make the moſt honourable ſalutation and viſiting to the moſt ſerene king of Scotland, their good brother and little ſon, that in him is poſſible. To give him their letters that are cloſed, ſuch and ſuch like as they have written to him with their hands, and to ſhow expreſsly the perfect friendſhip and ſingular affection, that their majeſtys bear to him, and to bring back the anſwer.

To take heed to the things which touch near the moſt ſerene king, to the effect that his perſon may be in no danger, but that it may be moſt ſurely preſerved.

AND that he be not hindered in the honeſt liberty that he ought to have, and that no greater, or ſtraiter guards be about him than he had before.

AND ſuch like, that he be not impeached in the authority, that God hath given to him of king and prince ſovereign above his ſubjects, to the effect he may as freely ordain and command in his affairs, and in the affairs of his country, with his ordinary council, as he was uſed to do of before.

THAT his nobility, barons, and commonality of his country may have their free liberty to reſort to his ſerene majeſty without ſuſpicion of greater guards or more armed men about his perſon than the uſe was, that they be not afraid and hindered to reſort; and further that the ſegnieur de la Motte Fenelon ſall liberally and freely ſpeak to the ſaid ſerene king and council, requiring the re-eſtabliſhing of that that may or hath been changed or altered.

AND that he may know if the principalls of the nobility, and other men of good behaviour of the towns and commonality of the country conveens, and are content with the form of government preſently with the ſaid ſerene king, to the end that if there be any miſcontent he may travaile to agree them together, and that he return not without the certainty of the ſamine.

AND if he may underſtand that there be any who have not uſed them ſo reverently towards the ſaid ſerene king their ſovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majeſty moſt chriſtian the ſaid ſerene king his good brother, giving him councill wholly to forget the ſame, and exhorting them to do their duty towards his majeſty, in time coming, in all reſpects with the obedience and true ſubjection they ought him.

AND

AND if the ſaid ſeigneur de la Motte perceives the ſaid ſerene king to be in any manner conſtrained of his perſon, authority, liberty, and diſpoſition of his affairs, than he uſed to be, and not convenient for his royal dignity, or as the ſovereignty of a prince does require, that he uſe all moyen lawful and honeſt to place him in the ſamine, and that he imploy as much as the credit of his moſt chriſtian majeſty may do toward the nobility, and ſubjects of that contry, and as much as may his name, with the name of his crown towards the Scottiſh nation, the which he loves and confides in as much as they were proper Frenchmen.

AND that he wittneſs to the ſaid ſerene king, and his eſtates, of his conſent, and to all the nobility and principall perſonages of the contry, that his moſt chriſtian majeſtie will continue on his part in the moſt ancient alliance and confederacy, which he hath had with the ſaid ſerene king his good brother, praying his nobility and contry, with his principall ſubjects, to preſerve in the ſamine, in all good underſtanding and friendſhip with him; the which, on his part, he ſhall do, obſerving the ſamine moſt inviolable.

FURTHER his moſt chriſtian majeſty underſtanding that the ſerene king his good brother was contented with the duke of Lenox, and his ſerviſe the ſaid ſignieur de la Motte had charge to pray his ſerene majeſty that he might remaine beſide him to his contentment, believing that he ſhould more willingly intertain the points of love and confederacie, betwixt their majeſtys and their contrys, becauſe he was a good ſubject to them both; and if he might not remain, without ſome alteration of the tranquillity of his eſtate, that he might retire him to his own houſe in the ſaid country, in ſurenes, or if he pleaſed to return to France that he might ſurely —— and if it pleaſes his ſerene majeſty, to cauſe ceaſe and ſtay the impeachments, that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the country, as they were wont to do of before.

AND that there may be no purpoſe of diffamation, nor no ſpeech but honourable of the moſt chriſtian king, in that contry, but ſuch like as is ſpoken moſt honourably of the ſerene king of Scotland in France.

HE had another head to propone, which he concealed till a little before his departure, to wit, that the queen, the king's mother, was content to receive her ſon in aſſociation of the kingdom.

No. X. (p. 387.)

Lord Hunſdon to Sir Francis Walſingham, the 14th of Auguſt 1584, from Berwick.

[Calderw. MS. Hiſtory, vol 3. p. 274.]

SIR,

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wedneſday laſt, there came hither to me from the earle, the juſtice clerk, and ſir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour,

and the number we ſhould meet withal; ſo as we concluded the place to be Foulden, the hour to be ten o'clock, and the number with ourſelves to be 13 of a ſide; and the reſt of our troops to ſtand each of them a mile from the town; the one on the one ſide, the other on the other ſide, ſo as our troops were two miles aſunder; I was not many horſemen, but I ſupplied it with footmen, where I had 100 not on horſe, but they were very near 500 horſe well appointed. According to which appointment, we met yeſterday, and after ſome congratulations, the erle fell in the like proteſtations of his good will and readineſs to ſerve the queen's majeſty, before any prince in the world, next his ſovereign, as he had done heretofore by his letters, and rather more; with ſuch earneſt vows, as unleſs he be worſe than a devil, her majeſty may diſpoſe of him at her pleaſure; this being ended, I entered with him touching the cauſe I had to deal with him, and ſo near as I could, left nothing unrehearſed, that I had to charge the king or him with any unkind dealing toward her majeſty, according to my inſtructions, which without any delay he anſwered preſently, as ye ſhall perceive by the ſaid anſwers ſent herewith; but I replying unto him, he amplified them with many moe circumſtances, but to this effect. Then I dealt with him touching the point of her majeſty's ſatisfaction, for the uttering ſuch practices as has been lately ſet on foot for the diſquieting of her majeſty and her eſtate, who thereof made ſundry diſcourſes, what marriages have been offered to his majeſtie by ſundrie princes, and by what means the earle has ſought to divert them, and for what cauſes; the one, for that be marriage with Spain or France, he muſt alſo alter his religion, which as he is ſure the king will never doe, ſo will he never ſuffer him to hearken unto it, ſo long as he has any credit with him; he denys not but the king has been dealt withal be practices to deal againſt her majeſty, which he has ſo far denied and refuſed to enter into, as they have left dealing therein, but whatſoever the king or he knoweth therein, there ſhall be nothing hidden from her majeſty, as her majeſty ſhall know very ſhortly; ſurely it ſeems by his ſpeeches, that if the king would have yielded thereunto there had been no ſmall company of French in Scotland ere now to diſquiet her majeſty.——This being ended, I dealt with him earneſtly for the ſtay of this parliament, which now approacheth; or at the leaſt that there may be nothing done therein, to the prejudice of theſe noblemen and others now in England, for the forfaulting of their livings and goods; hereupon he made a long diſcourſe to me, firſt of the earl of Angus dealing about the earl of Morton, then of his going out, notwithſtanding of ſundrie gracious offers the king had made him, then of the road of Ruthven, how that preſently after they had the king's majeſty in their hands, they impriſoned himſelf, dealt with the king for putting of the duke out of the realme, the king refuſed ſo to do, they told him plainly that if he would not he ſhould have the earl of Arran's head in a diſh; the king aſked what offence the earl had made? and they anſwered it muſt be ſo, and ſhould be ſo; hereupon, for the ſafeguard of Arran's life, the king was conſent to ſend away the duke, and yet Arran afterwards ſundrie times in danger of his life; I alledged unto him the king's letter to the queen's majeſty, and his acts in council,

that they had done nothing but for his ſervice, and with his good liking and contentment, who anſwered me he durſt do no otherwiſe, nor could not do any thing but that which pleaſed them, with ſuch a number of other their dealings with the king whileſt he was in their hands as are too long to be written, and too bad if they were true; I ſaid the king might have let the queen's majeſty's ambaſſador have known his mind ſecretly, and her majeſty would have relieved him; he anſwered, that the king was not ignorant that the apprehenſions in that manner proceeded from Mr. Bow's practice, and thereby durſt not impart ſo much to him, and yet the king was content, and did give remiſſion to as many as would acknowledge their faults, and aſk remiſſion, and ſuch as would not, he thought fit to baniſh, to try their further loyalty, in which time they conſpired the king's ſecond apprehenſion, and the killing of the earle, and others, and ſeduced the miniſters to their faction, and yet not ſatisfied with theſe conſpiracies and treaſonable dealings (as he terms them), are entered into a third, being in England under her majeſty's protection, to diſhonour her majeſty as far as in them lyeth, or at leaſt to cauſe the king conceave ſome unkindneſs in her majeſty, for harbouring of them; I wrote to yow what the conſpiracy was, the taking of the king, the killing of the earle of Arran, and ſome others, the taking of the caſtle of Edin'. and bringing home the earles, to take the charge of the king; all which (ſays he) is by Drummond confeſſed, and by the provoſt of Glencudden not greatly denied, and the conſtable of the caſtle thereupon fled; the earl brought Drummond with him as far as Langton, where he lay, to have confeſſed the conſpiracy before me, but having at his lighting received a blow on his leg with a horſe, ſo as he could bring him no further, I replied that I thought verily they would not work any ſuch practices in reſpect of the queen's majeſty, abiding within her realme, and if there be any ſuch practices, they have proceeded from others, and they not privie unto them; and that if it be not apparently proved againſt them, that it will be thought to be ſome practice to aggravate the fault, and to make them the more odious to the king. He anſwered me, that it ſhould be proved ſo ſufficiently, that they ſhould not be able with truth to deny it, for their own hands is to be ſhowed to part of it, and therefore concluded, that if her majeſty ſhould ſo preſs the king for them at this time, that would rather hinder this matter of the amitty, nor further it, and that ſince they ſeek chiefly his life, he could not, in any reaſon, ſeek to do them any good; and beſides he aſſured me, that if he would, he dare not, this laſt matter being fallen out as it is; and ſurely if this matter had not fallen out, I would not have doubted the reſtoring of the earl of Mar very ſhortly, if her majeſty would have employed me therein, but for the earl of Angus, I perceive the king is perſuded that both he, and the reſt of the Douglaſſes, have conceived ſo mortall an hatred againſt him and the earl of Arran, about the death of the earl of Morton, as if they were at home, tomorrow next, they would not leave to practice and conſpire the death of them both, and therefore a hard matter to do any thing for him: finally, he concluded and required me to aſſure her majeſty from the king, that there ſhall nothing be hid from her, nor any thing left undone

done that may ſatisfie her majeſty with reaſon, and that the king ſhall never do any thing, nor conſent to have any thing done in her prejudice, ſo long as he had any credit with him, or authority under him. Having this far proceeded, he deſired to ſhew me his commiſſion, which is under the great ſeal, to himſelf only, which is as large as may be, and yet ſundrie of the privie councell there with him, but not one in commiſſion, nor preſent, nor near us all this time, having ſpent almoſt five hours in theſe matters; he preſented to me the maſter of Gray, who delivered to me a letter from the king in his commendation, whom I perceive the king means to ſend to her majeſty, and therefore requires a ſafe-conduct for his paſſage, which I pray yow procure. and to ſend it as ſoon as you may. I let him underſtand of the lord Seaton's negociation with the French king. He ſwore to me, that Seaton was but a knave, and that it was partly againſt his will, that he ſhould be ſent thither. But his commiſſion and inſtruction being of no great importance, he yielded the ſooner; and if Seaton has gone beyond his inſtructions, which Arran drew himſelf, he will make Seaton ſmart for it. Touching William Newgate, and Mark Golgan, he proteſted he never heard of any ſuch; he ſays there was a little poor ſoul, with a black beard, come thither a begging, who ſaid he was an enemy to Deſmond, to which he gave a croun, but never heard of him ſince, and for any Scots man going into Ireland, he ſays there is no ſuch matter; if there be, there may be ſome few raſkals that he knows not of; and touching the coming of any Jeſuits into Scotland, he ſays it is but the ſlanderous deviſe of the king's enemys, and ſuch as would have the world believe the king were ready to revolt in religion, who the world ſhall well ſee will continue as conſtant therein, as what prince ſoever profeſſed it moſt; and the earl himſelf dos proteſt to me, that to his knowledge, he never ſaw a Jeſuit in his life, and did aſſure me if there was any in Scotland, they ſhould not do ſo much harm in Scotland, as their miniſters would do, if they preach ſuch doctrine as they did in Scotland; and touching one Ballenden, of whom I wrote to yow, I heard from Mr. Colvill, the earle avows conſtantly that he knows not, nor hath not heard of any ſuch man, but he would inquire at the juſtice clerk, and would inform me what he could learn of that; thus I have made yow as ſhort a diſcourſe as I can of ſo many matters, ſo long diſcourſed upon, but theſe are the principal points of all our talk, ſo near as I can remember it, and for this time I commit yow to the Almighty. At Berwick the 14th of Auguſt, 1584.

The king is very deſirous to have my ſon Robert Cary to come to him. I pray yow know her majeſty's pleaſure.

Arran's anſwers to the grieffs or articles proponed to the lord Hunſdon, ſet down in another form.

AS to the ſtrait and ſevere perſecution of all ſuch, as have been noted to have been well affected to the queen's majeſty, it cannot appear they were either for that cauſe puniſhedy or hardly dealt with, ſince his majeſty of late has been ſo careful and diligent to choice out good

good inſtruments to deal betwixt her majeſty and him, as his majeſty has done in electing of your lordſhip and me; beſides that in all their accuſations, their good will and affection born to her majeſty was, at no time, laid to their charge, but capital actions of treaſon many way tried now be the whole three eſtates, and more than manifeſt to the world.

As for his majeſty inhibiting, by publick proclamation, ſuch as were baniſhed, not to repair in England; the bruits and whiſperings that came to his majeſty's ears, of their conſpiracies and treaſons, which ſince ſyn they accompliſhed, ſo far as in them lay, moved his majeſty to inhibit them to repair to any place, ſo near his majeſty's realm, leſt they ſhould have attempted theſe things which ſhortly they did attempt, being farther off, and more diſtant both by ſea and land.

As for reception of Jeſuits, and others, her majeſty's fugitives, and not delivering them according to his promiſe, as your lordſhip propones, his majeſty would be moſt glad that ſo it might fall out by your lordſhip's traviles, that no fugitive of either realme ſhould be received of either, and when ſo ſhall be, it ſhall not fail on his majeſty's part, albeit in very deed this time bygone his majeſty has been conſtrained to receipt her majeſty's mean rebells and fugitives, contrar his good naturall, ſince her majeſty hath receipt, in effect, the whole and greateſt rebels and traitors his majeſty in his own blood ever had; as for the agreement with his majeſty's mother anent their aſſociation, his majeſty has commanded me, in preſence of your lordſhip's ſervant, to aſſure her majeſty and your lordſhip, in his majeſty's name, that it is altogether falſe, and an untruth, nor any ſuch like matter done yet.

His majeſty has alſo commanded me to aſſure your lordſhip, that it is alſo falſe and untrue, that his majeſty has, by any means direct or indirect, ſent any meſſage to the pope, or received any from him; or that his majeſty has dealt with Spain or any foreigners, to harm her majeſty or her realm, which his majeſty could have no honour to do, this good intelligence taking place, as I hope in God it ſhall.

As concerning the contemptuous uſage of her majeſty's miniſters, ſent unto his majeſty, his majeſty uſed none of them ſo; and if his majeſty had, ſufficient cauſe was given by them, as ſome of their own writs do yet teſtify; as I more particularly ſhowed your lordſhip at Foulden at our late meeting.

No. XI. (p. 390.)

The Scottiſh queen's offers upon the effect of her liberty propounded by her ſecretary Naw, November 1584.

[Cott. Lib. Calig. C. 8. A copy.]

THE queen my miſtreſs being once well aſſured of your majeſty's amity,

1. Will declare openly that ſhe will (as it is ſincerely her meaning) ſtraitly to join unto your majeſty, and to the ſame to yield and bear the chief honour and reſpect, before all other kings and princes in Chriſtendom.

2. She will ſwear, and proteſt ſolemnly, a ſincere forgetfulneſs of all wrongs which ſhe may pretend to have been done unto her in this realm, and will never, in any ſort or manner whatſoever, ſhew offence for the ſame.

3. She will avow and acknowledge, as well in her own particular name, as alſo for her heirs and others deſcending of her for ever, your majeſty, for juſt, true, and lawful queen of England.

4. And conſequently, will renounce, as well for herſelf, as for her ſaid heirs, all rights and pretences which ſhe may claim to the crown of England, during your majeſty's life, and other prejudice.

5. She will revoke all acts and ſhews, by her heretofore made, of pretence to this ſaid crown to the prejudice of your majeſty, as may be the taking of the arms and ſtile of queen of England, by the commandment of king Francis her late lord and huſband.

6. She will renounce the pope's bull for ſo much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of her majeſty, and will declare that ſhe will never help and ſerve herſelf with it.

7. She will not proſecute, during your majeſty's life, by open force or otherways, any publick declaration of her right in the ſucceſſion of this realm, ſo as ſecret aſſurance be given unto her, or at the leaſt publick promiſe, that no deciding thereof ſhall be made in the prejudice of her, or of the king her ſon, during your majeſty's life, not after your deceaſe, until ſuch time as they have been heard thereupon, in publick, free, and general aſſembly of the parliament of the ſaid realm.

8. She will not practiſe, directly or indirectly, with any of your majeſty's ſubjects, neither within nor out of your realm, any thing tending to war, civil or foreign, againſt your majeſty and your eſtate, be it under pretext of religion, or for civil and politick government.

9. She will not maintain or ſupport any of your ſubjects declared rebels, and convicted of treaſon againſt you.

10. She will enter into the aſſociation, which was ſhewed her at Wingfield for the ſurety of your majeſty's life, ſo as there be mended or right explicated ſome clauſes, which I will ſhew to your majeſty, when I ſhall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes, for any war or trouble againſt this ſtate, and will renounce, from this time, all enterpriſes made or to be made in her favour for that reſpect.

Furthermore, this realm being aſſailed by any civil or foreign war, ſhe will take part with your majeſty, and will aſſiſt you in your defence with all her forces and means, depending of herſelf and with all her friends of Chriſtendom.

13. And to that effect, for the mutual defence and maintenance of your majeſty, and the two realms of this iſle, ſhe will enter with your majeſty in a league defenſive, as ſhall be more particularly adviſed, and will perſwade, as much as in her, the king her ſon to do the like.

The leagues with all parts abroad remaining firm, and eſpecially the antient league between France and Scotland, in that which ſhall not be againſt this preſent.

14. She

14. She will enter into a league offensive, having good assurance, or secret declaration and acknowledgment of her right in the succession of this crown, and promise, that happening any breach betwixt France and this realm (which she prayeth God never to happen), the just value of her dowry shall be placed for her in lands of the revenue of the crown.

15. For assurance of her promises and covenants, she doth offer to abide herself in this realm for a certain time (better hostage can she not give than her own person), which, so as she be kept in the liberty here before propounded, is not in case to escape secretly out of this country, in the sickly state she is in, and with the good order which your majesty can take therein.

16. And in case your majesty do agree to her full and whole deliverance, to retire herself at her will out of this realm, the said queen of Scots she will give sufficient hostage for such time as will be advised.

17. If she abide in this realm, she will promise not to depart out of it, without your licence; so as it be promised unto her that her state, in such liberty as shall be accorded unto her, shall not be in any sort altered, untill after tryall to have attempted against your life, or other trouble of your estate.

18. If she go into Scotland, she will promise to alter nothing there in the religion which is now used there, she being suffered to have free exercise of hers, for her and her houshold, as it was at her return out of France; and further to pull out every root of new division between the subjects, that none of the subjects of Scotland shall be vexed for his conscience, nor constrained to go to the service of the contrary religion.

19. She will grant a general abolition of all offences done against her in Scotland, and things shall remain there as they are at this present, for the respect, saving that which hath been done against her honour, which she meaneth to have revoked and annulled.

20. She will travel to settle a sure and general reconciliation between the nobility of the country, and to cause to be appointed about the king her son, and in his council, such as shall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her best to content your majesty, in favour of the Scots lords banished and refuged hither, upon their due submission to their princes, and your majesty's promise to assist the said queen and king of Scotland against them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her son, with the advice and good council of your majesty.

23. As she will pass nothing without the king her son, so doth she desire that he intervene conjuntly with her in this treaty, for the greater and perfecter assurance thereof; for otherwise any thing can hardly be established to be sound and continue.

24. The said Scotch queen trusteth, that the French king, her good brother, according to the good affection which he hath always shewed her, and hath been afresh testified unto me by Monsr. de

Mannisiere for this said treaty, will very willingly intervene, and will assist her for the surety of her promises.

25. And so will the prince of the house of Lorrain, following the will of the said king, will bind themselves thereunto.

26. For other kings and princes of Christendom, she will assay to obtain the like of them, if for greater solemnity and approbation of the treaty it be found to be necessary.

27. She doth desire a speedy answer, and final conclusion of the premises, to the end to meet in time with all inconveniencies.

28. And in the mean time, the more to strengthen the said treaty, as made by her of a pure and frank will, she desireth that demonstration be made of some releasement of her captivity.

Objections against the Scottish queen, under secretary Walsingham's hand, November 1584.

THE queen of Scots is ambitious, and standeth ill affected to her majesty, and therefore it cannot be but that her liberty should bring peril unto her majesty.

That her enlargement will give comfort to papists, and other ill affected subjects, and greatly advance the opinion had of her title as successor.

That as long as she shall be continued in her majesty's possession, she may serve as it were a gage of her majesty's surety, for that her friends, for fear of the danger she may be thrown into, in case any thing should be done in her favour, dare not attempt any thing in offence of her majesty.

November 1584. *What course were fit to be taken with the queen of Scots, either to be enlarged or not.*

[Cott. Lib. Cal. 8.]

THE course to be taken with the said queen may be considered of in three degrees; either,

1. To continue her under custody in that state she now is.

2. To restrain her of the present liberty she now hath.

3. Or to set her at liberty upon caution.

1. Touching the first, to continue her under custody in that state she now is; it is to be considered, that the princes that favour that queen, upon the complaint she maketh of hard usage, are greatly moved with commiseration towards her, and promise to do their endeavour for her liberty, for which purpose her ministers solicit them daily.

And to move them the more to pity her case, she acquainted them with her offers made to her majesty, which appeared to be no less profitable than reasonable for her majesty, so as the refusal and rejecting giveth her friends and favourers cause to think her hardly dealt withal, and therefore may, with the better ground and reason, attempt somewhat for the setting of her at liberty.

It is also likely that the said queen, upon this refusal, finding her case desperate, will continue her practice under hand, both at home and

and abroad, not only for her delivery, but to attain to the preſent poſſeſſion of this crown upon her pretended title, as ſhe hath hitherto done, as appeareth, and is moſt manifeſt by letters and plots intercepted, and chiefly by that late alteration of Scotland which hath proceded altogether by her direction, whereby a gap is laid open for the malice of all her majeſty's enemies, ſo as it appeareth that this manner of keeping her, with ſuch number of perſons as ſhe now hath, and with liberty to write and receive letters (being duly conſidered), is offenſive to the princes the ſaid queen's friends; rather chargeable, than profitable to her majeſty; and ſubject to all ſuch practices as may peril her majeſty's perſon or ſtate, without any proviſion for her majeſty's ſafety, and therefore no way to be liked of.

2. TOUCHING the ſecond, to reſtrain her in a more ſtraighter degree of the liberty ſhe hath hitherto enjoyed.

IT may at firſt ſight be thought a remedy very apt to ſtop the courſe of the dangerous practices foſtered heretofore by her: For, true it is, that this remedy might prove very profitable, if the realm of Scotland ſtood in that ſort devoted to her majeſty, as few years paſt it did; and if the king of that realm were not likely, as well for the releaſe of his mother, as for the advancement of both their pretended titles, to attempt ſomewhat againſt this realm and her majeſty, wherein he ſhould neither lack foreign aſſiſtance, nor a party here within this realm: But the king and that realm ſtanding affected as they do, this reſtraint, inſtead of remedying, is likely to breed theſe inconveniencies following:

FIRST, It will increaſe the offence both in him, and in the reſt of the princes her friends that miſliked of her reſtraint.

SECONDLY, It will give them juſt cauſe to take ſome way of redreſs.

LASTLY, It is to be doubted, that it may provoke ſome deſperate ill-diſpoſed perſon, all hope of her liberty removed, to attempt ſomewhat againſt her majeſty's own perſon (a matter above all others to be weighed), which inconveniency being duly conſidered, it will appear manifeſtly, that the reſtraint, in a ſtraighter degree, is likely to prove a remedy ſubject to very hard events.

THE latter degree, whether it were fit to ſet the ſaid queen at liberty, miniſtreth ſome cauſe of doubt, touching the manner of the liberty, in what ſort the ſame is to be performed, whether to be continued here within the realm, or to be reſtored into her own country.

BUT firſt, this propoſition, before the particularities be weighed, is to be conſidered in generality.

FOR it is very hard for a well-affected ſubject, that tendereth her majeſty's ſurety, and weigheth either the nature of the Scottiſh queen, being inclined to ambition and revenge, or her former actions, what practices ſhe hath ſet on foot moſt dangerous for her majeſty and this realm, to allow of her liberty, being not made acquainted with ſuch cauſes, as time hath wrought, to make it leſs perilous than it hath been, nor with ſuch cautions as may, in ſome ſort, be deviſed to prevent both her ambition and malice; and therefore, to make this apparent,

It is to be considered, that the danger that was in the mother, is now grown to be in the son. He pretendeth the same title she doth: Such as do affect her, both at home and abroad, do affect him (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own person); where she is restrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abased; so as the matter duly considered, neither her liberty nor restraint doth greatly alter the case for perils towards her majesty, unless by such promises as may be made by way of treaty with her, the danger likely to grow from the king her son to be provided for.

But in this behalf it may be objected, that so long as the mother remains in her majesty's hands, the king will attempt nothing for fear of his mother's peril.

To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless she shall be found, by good proof, culpable. Secondarily, That men will not be over-hasty, considering in what predicament the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, the taking away of his mother, he being strong in the field through both foreign assistance, and a party here within the realm, will appear so weak a remedy (which may rather exasperate both him, and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her), as they will suppose for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the perils that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers, that her liberty may minister just cause to doubt of; there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption, and falling away in that behalf. Besides, she should have commodity, with much more ease and speed, to entertain practices within this realm, than by being in her own country.

If abroad freely without limitation either in Scotland or France, then shall her majesty lose the gages of her safety, then shall she be

at

at hand to give advice in furtherance of ſuch practices, as have been laid for to ſtir trouble in this realm, wherein ſhe hath been a principal party.

For the firſt, it is anſwered before, that the reſpect of any perils that may befal unto her, will in no ſort reſtrain her ſon. For the other, if it be conſidered what harm her advice will work unto herſelf, in reſpect of the violation of the treaty, and the proviſion that may be made in parliament here, it is to be thought, that ſhe will then be well adviſed, before ſhe attempt any ſuch matter, which now ſhe may do without peril. Beſides ſuch princes, as have interpoſed their faith and promiſe for her, cannot with honour aſſiſt her, wherein the French king will not be found very forward, who, in moſt friendly ſort, hath lately rejected all ſuch requeſts, propounded either by her or her ſon's miniſters, that might any way offend her majeſty. And ſo to conclude, ſeeing the cauſe of her grief ſhall be taken away; the French king gratified, who is a mediator for her, and will miſlike, that, by any Spaniſh practice, ſhe ſhould be drawn to violate her faith, that the reſt of the princes ſhall have no juſt cauſe of offence, but rather to think honourably of her majeſty conſidering the Scottiſh queen's carriage towards her, which hath deſerved no way any ſuch favour; the noblemen of Scotland ſhall be reſtored, who will be a good ſtay of ſuch counſells as may tend to the troubling of this realm, eſpecially having ſo good a ground of warrant as the parliament to ſtand unto; the charges and perills which her practices might have bred to this realm ſhall be avoided; and laſtly, the hope of the papiſts ſhall be taken away, by ſuch good proviſions, as in both the realms may be made, whereby the perills that might fall into her majeſty's own perſon (a matter of all others to be weighed), ſhall be avoided, when by the change that may grow by any ſuch wicked and ungodly practice, they ſhall ſee their caſe no way relieved in point of religion.

Reaſons to induce her majeſty to proceed in the treaty under ſecretary Walſingham's hand.

[Cott. Lib. Cal. C. 8.]

THAT ſuch plots as have of late years been deviſed (tending to the raiſing of trouble within this realm) have grown from the Scots queen's miniſters, and favourers, not without her allowance and ſeeking: Or,

That the means uſed by the ſaid miniſters, to induce princes to give ear to the ſaid plots, is principally grounded upon ſome commiſeration had of their reſtraint.

That the ſtay, why the ſaid plots have not been put in execution, hath proceeded, for that the ſaid princes have, for the moſt part, been entertained with home and domeſtick troubles.

That it is greatly to be doubted, that now their realms begin to be quiet, that ſomewhat will be attempted in her favours by the ſaid princes.

That it is alſo to be doubted, that ſomewhat may be attempted by ſome of her fautors in an extraordinary ſort, to the peril of her majeſty.

THAT for the preſervation thereof, it ſhall be convenient for her majeſty to proceed to the finiſhing of the treaty, not long ſithence begun between her and the ſaid queen.

No. XIV. (p. 396.)

Letter of Q. Mary to Q. Elizabeth.

[Cott. Lib. Col. B. VIII. Fol. 142. An original.]

Madame ma bonne Seur.

M'Aſſeurant que vous avez en communication d'une lettre de Gray que voſtre homme Semer me livra hier ſoubz le nom de mon filz y recognoiſſant quaſi de mot a la mot les meſmes raiſons que le dit Gray m'eſcrivit en chiffre eſtant dernierement pres de vous demonstrant la ſuffiſance & bonne intention du perſonage je vous prieray ſeulement ſuivant ce que ſi devant je vous ay tant inſtantement importune que vous me permettiez deſclaircir librement & ouvrement ce point de l'aſſociation d'entre moy & mon filz & me deffier les mains pour proceder avec lui comme je jugeray eſtre requis pour ſon bien & le mien. Et j'enterprendz quoi que l'on vous dis & puiſſe en rapporter de faire mentir ce petit bruillon qui perſuade par aucuns de vos miniſtres a enterpris cette ſeparation entre moy et mon enfant, & pour y commencer je vous ſupplie m'octroyer qui je puiſſe parler a ce juſtice clerk qui vous a eſte nouvellement envoyé pour mander par luy a mon filz mon intention ſur cela, ce qui je me promis que ne ma refuſerez, quant ce ne ſeroit que pour demontrer en effect la bonne intention que vous m'avez aſſuerée avoir a l'accord & entretien de naturel devoir entre la mere & l'enfant qui dit en bonnes termes eſtre empeſche pour vous me tenant captive en un deſert ce que vous ne pourrez mieux deſmentir & faire paroitre voſtre bon deſir a noſtre union que me donnant les moyens d'y proceder, & non m'en retenir & empeſcher comme aucune de vos miniſtres pretendent a fin de laiſſer toujours lieu a leur mauvais & finiſtres practiques entre nous. La lettre porte que l'aſſociation n'eſt pas paſſée, auſſi ne luy ai je jamais dit, bienque mon filz avoit acceptée & que nous en avions convenu enſemble, comme l'acte ſigné de ſa main, & ces lettres tant a moy, que en France en ſont foy, ayant donne ce meme temoignage de ſa bouche propre a pluſieurs ambaſſadeurs & perſonnes de credit, s'excuſant de ne l'oſer faire publier par crainte de vous ſeulement, demandant forces pour vous reſiſter d'avant de ce declarer ſi ouvertement eſtant journellement perſuade au contraire par vos miniſtres qui luy promettoyent avecque une entrée a York le faire declarer voſtre heretier. Au ſurplus Madame quand mon enfant ſeroit ſi malheureux que de s'opiniaſtrer en cette extreme impieté & ingratitude vers moy, je ne puis penſer que vous non plus qu'aucun autre prince de la Chreſtienté le vouliſſez en cela applaudir ou monſtrer pour luy fayre acquerir ma malediction ains que plutos entreviendriez pour luy faire recognoiſtre la raiſon trop juſte & evidant devant Dieu & les hommes. Helas & encores ne luy vouloien j'en oſter, mays donner avec droit ce qu'il tient par uſurpation. Je me ſuis du tout commiſe a vous, & fidelement faites ſi il vous plaiſt que je ne en ſoye pis qu'auparavant, & que de faulſete des uns ne prevale devant la

verite

verite vers vous, pour bien receyvant mal, & la plus grande affliction que me sçauroit arriver a sçavoir la perte de mon fils. Je vous supplie de me mander en cas qu'il perisse en cette mi'econnoissance de son devoir, que de luy ou de moy il vous plaist advouer pour legittime roy ou royne d'Ecosse, & si vous aves agreable de poursuivre avec moy a part la traité commencé entre nous de quoy je vous requiers sans plus attendre de response de ce mal gouverné enfant vous en requerrant avec autant d'affection que je sens mon cœur oppressé d'ennuy. Pour Dieu souvenez vous de la promesse que m'aves faites de me prendre en votre protection me raportant de tout a vous, & sur ce priant Dieu qu'il vous vueille preserver de touts vos ennemys & dissimulés amys, comme je le desire de me consoler & de me venger de ceulx qui pourchassent un tel malheur entre la mere & l'enfant. Je cesseray de vous troubler, mais non a m'ennuier que je ne receive quelque consolation de vous & de Dieu encore un coup je le supplie de vous garder de tout peril. Futhbery XVI Mars.

Votre fidelement vouée sœur,
& obeissant cousine,
MARIE R.

A la royne d'Angleterre
madame ma bonne sœur
& cousine.

No. XIII. (p. 396.)

A Testament by Q. Mary.

[Cott. Lib. Vespas. C. 16. p. 415.]

N. B. The following paper was transcribed by the revd. Mr. Crawford, late regius professor of church history in the university of Edinburgh. Part of this paper, according to him, is written by Nauë, Mary's secretary, the rest with the queen's own hand. What is marked " is in the queen's hand.

"Considerant par ma condition presente l'estat de vie humaine, si incertain, que personne ne s'en puest, ou doibt asseurer, sinnon soubs la grande et infinie misericorde de Dieu, et me voulant prevaloir d'icelle contre tous les dangers et accidents, qui me pourroient inopinement survenir en cette captivité, mesmes a cause des grandes et longues maladies, ou j'ay été detenue jusques a present; j'ay advisé tandis que j'ay la commodité, ou raison en jugement, de pourvoir apres ma mort le salut de mon ame, enterrement de mon corps et disposition de mon bien, estat, & affaires, par ce present mon testament et ordonnance de mon dernier volonté, qui s'ensuyt.

Au nom du Pere, du Filz, et du benoist St. Esprit. Premierement, me recongnoissant indigne pechepesse avec plus d'offenses envers mon Dieu, que de satisfaction par toutes les adversités que j'ay souffert; dont je la loue sa bonté. Et m'appuyant sur la croix de mon Sauveur et Redempteur Jesus Christ, je recommende mon ame a la benoiste et individue Trinité, et aux prieres de la glorieuse Vierge Marie, et de tous les anges saincts & sainctes de paradis, esperant par leur merites et intercession, estre aydée a obtenir de estre faicte participante avec eulx de felicité eternelle. Et pour m'acheminer de cueur plus

pet

net et entier deſpouillant des a preſent tout reſſentiment des injures, calomnies, rebellions, et aultres offenſes, qui me pourroient avoir eſté faictes durant ma vie, par mes ſubjets rebelles et aultres ennemis; J'en retriet la vengeance a Dieu, & le ſupplie leur pardonner, de meſme affection, que je luy requiers pardons a mes faultes, et a tous ceuls et celles que je puis avoir offenſé de faicts ou de parolles. Je veulx et ordonne, &c. [*The two following paragraphs contain directions concerning the place and circumſtances of her burial.*]

Pour ne contrevenir a la glorie, honneur, et conſervation de l'Egliſe catholique, apoſtolique et Romaine, en la quelle je veulx vivre et mourir, ſi le prince d'Eſcoſſe mon filz y pleſt estre reduict contre la mauvaiſe nourriture, qu'il a priſe a mon tres grand regret en l'hereſie de Calvin entre mes rebelles, je le laiſſe ſeul et unique heritier de mon royanme d'Eſcoſſe, de droict que je pretende juſtement en a la couronne d'Angleterre et pays qui en dependent, et generallement de tous et chacun mes meubles et immeubles qui reſteront apres ma mort, et execution de ce preſent teſtament.

Si non, et que mon dit filz continue a vivre en la dite hereſie, Je cede, tranſporte, et faicte don " de touts et chacuns mes droicts, que " je pretende & puis pretendre a la couronne d'Angleterre, et aultres " droicts, ſeigneuries, ou royaulmes en dependantz, au roy catho- " lique, ou aultre de ſiens qu'il luy plaira, aveſques advis, conſente- " ment de ſa fainteté : tant pour le voyr aujourhuy le ſeul ſeurs ap- " pui de la religion catholique, que pour reconnoiſſance de gratuites " faveurs que moy, et les miens recommandez par moy, ont avons " receu de luy en ma plus grande neceſſité ; et reſguard auſſi au " droict que luy meſme peut pretendre a ces ditz royaulmes et pays, " je le ſupplie qu'en recompence il preign alliance, de la maiſon " de Lorraine, et ſi il ce pleut de celle de Guiſe, pour memoire de " la race de laquelle je ſuis ſortie au coſté Mere, n'a ayant de celuy " de mon pere, que mon ſeul enfant, lequel eſtant Catholique j'ay " tousjours voué pour une des ſes filles, ſi il luy plaiſoit de l'accep- " ter, ou faillant une de ſes niepces mariée comme ſa fille.

" Je layſſe mon filz a la protection du roy, de princé, et duds de " Lorrayne et de Guiſe, et du Mayne, aux quelz je recommende et " ſon eſtat en Eſcoſſe, et mon droict en Angleterre, ſi il eſt catho- " lique, et quelle le parlie de ceſte royne."

Je faitz don au " compté de Lenox" de comte de Lenox tenu par feu ſon pere, et commande mon filz, comme mon heretier et ſucceſſeur, d'obeyr en ceſt en droit a mon volontè.

Je veulx et ordonne toutes les ſommes et deniers, qui ſe troveront par moys deues, tien mis cauſe de droict eſtre faits " a Lohliven" etre promptement payeé et acquittés, et tout tort et griefs reparés per leſdits executeurs deſquelz J'en charge la conſcience. Oultre, &c. [*Follow two or three paragraphs concerning particular legacies, and then is added*] Faict au manior de Sheffeld en Angleterre le jour de —— Mil cinq cens ſoixant & dix ſept.

After a large blank page follows in the queen's hand :

" Si mon filz meurt, au comte de Lenox, au Claude Hamilton le- " quel ſe montrera le plus fidelle vers moy, et plus conſtant en reli- " gion,

" gion, au jugement de —— Duc de Lorraine et de Guyſe, ou je
" le rapport ſur ce de ceulx a que j'auray donnay le charge de trayter
" avesque eux de par moy et ceulx a condition de ce marrier ou
" allier en la dite mayſon ou par leur advis."

Follow near two pages of particular legacies.

" Et le remets ma tante de Lenox au droict quelle peut pretendre
" a la conté d'Angous avant l'acort fait par mon commandement
" entre ma dite tante de Lenox et le comte de Morton, veu quil a
" eſté fait & par le feu roy mon Mary et moy, ſur la promeſſe de ſa
" fidelle aſſiſtance, ſi luy et moy encourions dangier et beſoing
" d'ayde ce qu'il rompit, s'entendant ſecretement au les nos enne-
" mis rebelles, qu'attemptrient contre ſa vie, et pour ceſt effect pris
" les armes, et ont porté les bannieres deſploiees, contre nous. Je
" revoque auſſi toute autre don que je luy ay fait de conté de Mor-
" ton ſur promeſſes de ſes bons ſervices a advenir, et entends que
" la dite Conté ſoit reunie a la couronne, ſi ell ſe trouve y partenir,
" comme ſes trahiſons tant en la mort de mon feu Mary, que en mon
" baniſſement, et pourſuit de la mien ne l'ont merité. Et defends a
" mon filz de ce jamays ſervire de luy pour de luy pour la hayne
" qu'il aye a ſes parents, la quelle je crains ne s'eſtende juſques a
" luy, le connoiſſant du tout affectionné aux ennemis de mon croite
" en ce royaume, du quel il eſt penconnaire.

" Je recommende mon nepveu François Stuart a mon filz, et luy
" commande detenir pres de luy et s'enſervit, et je luy laiſſe le bien
" du conte de Boduel ſon oncle, en reſpect qu'il eſt de mon ſang, mon
" filleul, et ma eſté laiſſe en lutelle par ſon pere.

" Je declare que mon frere baſtard Robert Abbé de St. Croix n'a
" en que par circonvention Orkenay, et que le ne fut jamays mon in-
" tention, comme il apret par la revocation que j'ay fate depuys,
" et eté auſſi faite d'avant la aſage de xxv. ans, ce que j'amois
" deliberer ſi il ne m'euſſent prenner par priſon de ſe de defayre
" aulx eſtats je veulx donc que Orkenay ſoit reune a la couronne
" comme une de plus neceſſaires pour mon filz, & ſans mayſon ne
" pourra etre bien tenue.

" Le filles de Morra ne parvient acceſſi heriter, ains revient la
" conté a la Couronne, ſi il luy pleſt luy donner ſa ou fille
" en marriaſge, et il nome l'en ſienne ligne."

No. XIV. (p. 403.)

A letter from Mr Archibald Douglas to the queen of Scots.

[April —— Harl. Lib. 37. B. 9. f. 126.]

PLEASE your majeſty, I received your letter of the date of the 12th of Nov. and in like manner has ſeen ſome part of the contents of one other of the ſame date, directed to Monſ. de Moviſir, ambaſſador for his majeſty the moſt Chriſtian king, both which are agreeable to your princely dignity, as by the one your highneſs deſires to know the true cauſe of my baniſhment, and offers unto me all favour if I ſhould be innocent of the heinous facts committed in the perſon of your

your husband of good memory, so by the other the said ambassador is willed to declare unto me, if your husband's murder could be laid justly against me, that you could not solliot in my cause, neither yet for any person that was participant of that execrable fact, but would seek the revenge thereof, when you should have any means to do it; your majesty's offer, if I be innocent of that crime, is most favourable, and your desire to know the truth of the same is most equitable; and therefore that I should with all my simplicity, sincerity and truth answer thereunto is most reasonable, to the end that your princely dignity may be my help, if my innocence shall sufficiently appear, and procure my condemnation, if I be culpable in any matter, except in the knowledge of the evil disposed minds of the most part of your nobility against your said husband, and not revealing of it; which I am assured was sufficiently known to himself, and to all that had judgment never so little in that realm; which also I was constrained to understand, as he, that was specially employed betwixt the earl Morton, and a good number of your nobility, that they might with all humility intercede at your majesty's hand for his relief, in such matters as are more specially contained in the declaration following, which I am constrained for my own justification, by this letter to call to your majesty's remembrance. Notwithstanding that I am assured, to my grief, the reading thereof will not smally offend your princely mind. It may please your majesty to remember, that in the year of God 1566, the said earl of Morton, with divers other nobility and gent. were declared rebels to your majesty, and banished your realm for insolent murder committed in your majesty's own chamber, which they alledged was done by command of your husband, who notwithstanding affirmed that he was compelled by them to subscribe the warrant given for that effect, howsoever the truth of that matter remains amongst them, it appertains not to me at this time to be curious; true it is that I was one of that number, that heavily offended against your majesty, and passed into France the time of our banishment, at the desire of the rest, to humbly pray your brother the most Christian king to intercede that our offences might be pardoned, and your majesty's clemency extended towards us, albeit divers of no small reputation, in that realm, was of the opinion, that the said fact merited neither to be requisite for, nor yet pardoned. Always such was the careful mind of his majesty towards the quietness of that realm, that the dealing in that cause was committed to Monsr. de Movilr, who was directed at that time to go into Scotland, to congratulate the happy birth of your son, whom Almighty God of his goodness may long preserve in happy estate and perpetual felicity; the careful travail of the said de Movilr was so effectual, and your majesty's mind so inclined to mercy, that within short space thereafter, I was permitted to repair in Scotland, to deal with earls Murray, Athol, Bodyel, Argyle, and secretary Ledington, in the name and behalf of the said earl Morton, lords Reven, Lindsay, and remanent complesis, that they might make offer in the names of the said earl, of any matter that might satisfy your majesty's wrath, and procure your clemency to be extended in their favours; at my coming to them, after I had opened the effect of my message, they declared that the mar-

riage

riage betwixt you and your husband had been the occasion already of great evil in that realm, and if your husband should be suffered to follow the appetite and mind of such as was about him, that kind of dealing might produce with time worse effects; for helping of such inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themselves in league and band with some other noblemen, resolved to obey your majesty as their natural sovereign, and have nothing to do with your husband's command whatsoever, if the said earl would for himself enter into that band and confederacy with them, they could be content to humbly request and travel by all means with your majesty for his pardon, but before they could any farther proceed, they desired to know the said earl's mind herein; when I had answered, that he nor his friends, at my departure, could not know that any such like matter would be proponit, and therefore was not instructed what to answer therein, they desired that I should return sufficiently instructed in this matter to Sterling, before the baptism of your son, whom God might preserve; this message was faithfully delivered to me at Newcastle in England, where the said earl then remained, in presence of his friends and company, where they all condescended to have no farther dealing with your husband, and to enter into the said band. With this deliberation I returned to Sterling, where at the request of the most Christian king and the queen's majesty of England by their ambassadors present, your majesty's gracious pardon was granted unto them all, under condition always that they should remain banished forth of the realm, the space of two years, and farther during your majesty's pleasure, which limitation was after mitigated at the humble request of your own nobility, so that immediately after the said earl of Morton repaired into Scotland to Quhittingaime, where the earl of Bodvell and secretary Ledington come to him; what speech passed there amongst them, as God shall be my judge, I knew nothing at that time, but at their departure I was requested by the said earl Morton to accompany the earl Bodvell and secretary to Edenburgh, and to return with such answer as they should obtain of your majesty, which being given to me by the said persons, as God shall be my judge, was no other than these words, "Schaw to the earl Morton that "the queen will hear no speech of that matter appointed unto him:" when I crafit that the answer might be made more sensible, secretary Ledington said, that the earl would sufficiently understand it, albeit few or none at that time understand what passed amongst them. It is known to all men, als weill be railling letters passed betwixt the said earl and Ledington when they become in divers factions, as also ane buck set furth it by the ministers wherein they affirm that the earl of Morton has confessed to them, before his death, that the earl Bodvell came to Quhittingaime to prepon the calling away off the king your husband, to the which proposition the said earl of Morton affirms that he could give no answer unto such time he might know your majesty's mind therein, which he never received. As to the abominable murder, it is known too by the depositions of many persons that were executed to the death for the committing thereof, that

that the ſame was executed them, and at the command of ſuch of the nobility, as had ſubſcrivit band for that effect; by this unpleaſant declaration, the moſt part thereof known to yourſelf, and the remainder may be underſtood by the aforeſaid witneſſes that was examined in torture, and that are extant in the cuſtody of the ordinary judges in Scotland, my innocency, ſo far as may concern any fact, does appear ſufficiently to your majeſty. And as for my dealing aforeſaid, I can be no otherwiſe charged therein, but as what would accuſe the veſſel that preſerves the wine from harm, for the intemperancy of ſuch as immoderately uſe the ſame. As for the ſpecial cauſe of my baniſhment, I think the ſame has proceeded upon ane opinion conceived, that I was able to accuſe the earl of Morton of ſo much matter as they alledge himſelf to have confeſſed before he died, and would not be induced, for loſs of reputation, to perform any part thereof. If this be the occaſion of my trouble, as I ſuppoſe it is, what puniſhment I ſhould deſerve, I remit me to your majeſty's better judgment, who well knows how careful ever ilk gentleman ſhould be of his fame, reputation and honour, and how far ever ilk man ſhould abhor the name of a pultroun, and how indecent it would have been to me to accuſe the earl of Morton, being ſo near of his kin, notwithſtanding all the injuries I was conſtrained to receive at his hand all the time of his government, and for no other cauſe, but for ſhewing of particular friendſhip to particular friends in the time of the laſt cruel troubles in Scotland. Sorry I be now to accuſe him in any matter being dead, and more ſorry that being on-lyff, he ſuch kind of dealing obtained that name of Ingrate. Always for my own part I have been baniſhed my native country thoſe three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not ſmall, intermittit and depoſit upon, and has continually ſince the time I was relieved out of my laſt troubles at the deſire of monſr. de Movifir, attended to know your majeſty's pleaſure, and to wait upon what ſervice it ſhould pleaſe your majeſty for to command. Upon the 8th of April inſt. your good friend ſecretary Walſinghame has declared unto me, that her highneſs tho't it expedient that I ſhould retire myſelf where I pleaſed, I declared unto him I had no means whereby I might perform that deſire, till ſuch time as I ſhould receive it from your majeſty. Neither knew I where it would pleaſe your highneſs to direct me, until ſuch time as I ſhould have received further information from you. Upon this occaſion, and partly by premiſſion, I have taken the hardreſs to write this preſent letter, whereby your majeſty may underſtand any part of my troubles paſt, and ſtrait preſent. As to my intention future, I will never deny that I am fully reſolved to ſpend the reſt of my days in your majeſty's ſervice, and the king your ſon's, whereſoever I ſhall be directed by your majeſty, and for the better performing thereof, if ſo ſhall be her majeſty's pleaſure, to recommend the tryal of my innocency, and examination of the verity of the preceding narration, to the king your ſon, with requeſt that I may be pardoned for ſuch offences as concerned your majeſty's ſervice, and war common to all men the time of his leſ aige and perdonit to all,

except

except to me. I ſhould be the bearer thereof myſelf, and be directed in whatſoevor ſervice it ſhould pleaſe your majeſty for to command. Moſt humble I beſeech your majeſty to conſider hereof, and to be ſo gracious as to give order, that I may have means to ſerve your majeſty according to the ſincerity of my meaning, and ſo expecting your majeſty's anſwer, after the kiſſing your hand with all humility, I take leave from London.

No. XV. (p. 408.)

A letter from Sir Amias Paulet.

[Origin. Cal. C. 9.]

SIR,

I DID forbear according to your direction ſignified in your letters of the fourth of this preſent, to proceed to the execution of the contents of Mr. Waade's letters unto you, for the diſperſing of this lady's unneceſſary ſervants, and for the ſeaſing of her money, wherein I was bold to write unto you my ſimple opinion (although in vain as it now falleth out), by my letters of the 7th of this inſtant, which I doubt not are with you before this time; but upon the receipt of your letters of the 5th, which came not unto my hands untill the 8th in the evening, by reaſon, as did appear by indorſement, that they had been miſtaken, and were ſent back to Windſor, after they were entered into the way towards me, I conſidered, that being accompanied only by my own ſervants, it might be thought that they would be intreated to ſay as I would command them, and therefore I thought good, for my better diſcharge in theſe money matters, to crave the aſſiſtance of Mr. Richard Baggot, who repairing unto me the next morning, we had acceſs to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the ſide of her neck, and had bereſt her of the uſe of one of her hands, unto whom I declared, that upon occaſion of her former practiſes, doubting leſt ſhe would perſiſt therein by corrupting underhand ſome bad members of this ſtate, I was expreſly commanded to take her money into my hands, and to reſt anſwerable for it, when it ſhall be required; adviſing her to deliver the ſaid money unto me with quietneſs. After many denials, many exclamations, and many bitter words againſt you (I ſay nothing of her railing againſt myſelf), with flat affirmation that her majeſty might have her body, but her heart ſhe ſhould never have, refuſing to deliver the key of the cabinet, I called my ſervants, and ſent for barrs to break open the door, whereupon ſhe yielded, and cauſing the door to be opened, I found there in the coffers, mentioned in Mr. Waade's remembrance, five rolls of canvas, containing five thouſand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two ſhillings, and the other had three pounds in ſilver, which bag of ſilver was left with her, affirming that ſhe had no more money in this houſe, and that ſhe was indebted to her ſervants for their wages. Mr. Waade's note maketh mention of 3 rolls left in Curle's chamber,

Curle can tell you the truth of this matter.

chamber, wherein, no doubt, he was misreckoned, which is evident as well by the testimonies and oaths of diverse persons, as also by probable conjectures; so as in truth we found only two rolls, every of which containeth one thousand crowns, which was this queen's guifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by estimation one hundred pounds, and in money, in one bag nine hundred pounds, in a second bag two hundred fourscore and six pounds eighteen shillings. All the foresaid parcels of money are bestowed in bags and sealed by Mr. Richard Bagot, saving five hundred pounds of Naw's money, which I reserve in my hands, for the use of this household, and may be repayed at London, where her majesty shall appoint, out of the money, received lately by one of my servants, out of the Exchequer. I feared lest the people might have dispersed this money in all this time, or have hidden the same in some secret corners; for doubt whereof I had caused all this queen's family, from the highest to the lowest, to be guarded in the several places where I found them, so as yff I had not found the money with quietness, I had been forced to have search first all their lodgings, and then their own persons. I thank God with all my heart, as for a singular blessing, that that falleth out so well, fearing lest a contrary success might have moved some hard conceits in her majesty.

TOUCHING the dispersing of this queen's servants, I trust I have done so much, as may suffice to satisfy her majesty for the time, wherein I could not take any absolute course, until I heard again from you, partly because her majesty, by Mr. Waade's letter, doth refer to your consideration to return such as shall be discharged to their several dwellings and countries, wherein, as it seemeth, you have forgotten to deliver your opinion; partly, for that as yet, I have received no answer from you, of your resolution, upon the view of the Scottish family sent unto you, what persons you will appoint to be dismiss; only this I have done, I have bestowed all such as are mentioned in this bill inclosed in three or four several rooms as the same may suffice to contain them, and that their meat and drink shall be brought unto them by my servants. It may please you, to advertise me by your next letters, in what sort, and for what course, I shall make their passports, as also, if they shall say that they are unpaid of their wages, what shall I do therein. Yt is said that they have been accustomed to be paid of their wages at Christmas, for the whole year. Her majesty's charge will be somewhat diminished by the departure of this people, and my charge by this occasion will be the more easy. But the persons, all save Bastian, are such silly and simple souls, as there was no great cause to fear their practices, and upon this ground, I was of opinion, in my former letters, that all this dismissed train should have followed their mistress until the next remove, and there to have been discharged upon the sudden, for doubt that the said remove might be delayed, yf she did fear, or expect any hard measure.

This lady hath good store of money at present in the French ambassador's hands.

OTHERS shall excuse their foolish pity as they may; but for my part, I renounce my part of the joys of heaven, yf in any thing that I have

No. XVI. (p. 416.)

Letter from the king of Scots to Mr. Archibald Douglas his ambassador in England, October 1586.

[Cotton. Libr. Calig. C. 9. An original in the king's hand.]

RESERVE up yourself na langer in the earnest dealing for my mother, for ye have done it too long; and think not that any your travellis can do goode if hir life be taken, for then adieu with my dealing with theime that are the special instruments thairof: and theirfore, gif ye look for the continuance of my favour towards you, spair na pains nor plainnes in this cace, but redde my letter wretin to Williame Keith, and conform yourself quhollie to the contentis thairof, and in this requeist let me reap the fruictis of your great credit there, ather now or never. Fairwell. October 1586.

Letter to sir William Keith, ambassador in England, probably from secretary Maitland. Nov. 27. 1568.

[A copy in the Gallery of fr. A. Dick. Vol. A. fol. 219.]

BY your letters sent by this bearer (albeit concerning no pleasant subject), his majesty conceives well of your earnestnes and fidelity in your negotiations, as also of Mr. Archibald's activity and diligence, whom you so greatly praise and recommend. I wish the issue correspond to his majesty's opinion, your care and travell, and his great diligence as you write. His majesty takes this rigorous proceeding against his mother deeply in heart, as a matter greatly concerning him both in honour and otherwise. His highnesses actions and behaviour utter plainly not only how far nature prevails, but also how he apprehends of the sequel of that proces, and of what moment he esteems it. There is an ambassade shortly to be directed, wherein will be employed an earl and two counsellors, on whose answer will

depend the continuance or dissolution of the amity and good intelligence between the princes of this isle. In the mean season, if harder extremity be used, and his majesty's suit and request disdained, his highness will think himself dishonoured and contemned for besides his expectation and deserts. Ye may perceive his majesty's disposition by his letter to you, which you shall impart to Mr. Archibald, and both deal according thereto. I need not to recommend to your care concerning your master's service both in weill and in honour. As you and your colleague shall behave yourself in this behalf, so for my own part, will I interpret your affection to your master. I am glad of that I hear of yourself, and I do fully credit that you write of Mr. Archibald, whose friends here make great account of his professed devotion to the queen, besides the duty he owes to the king's majesty her son. Farther I am constrained to remit to next occasion, having scarce time to scribble these few lines (which of themselves may bear witness of my haste). Wishing you a prosperous issue of your negociation, I commit you, &c. Halyrudhouse, Novr. 29th, 1586.

THE people, and all estates here are so far moved by the rigorous proceedings against the queen, that his majesty, and all that have credit are importuned, and may not go abroad for exclamations against them, and imprecations against the queen of England.

No. XVII. (p. 418.)

To the king's majesty, from Mr. Archibald Douglas.

[16 Oct. 1586. From the original in the Collect. of sir A. Dick. Vol. B. fol. 324.]

PLEASE your majesty, I received your letter of the date the 28th of September, the 5th of October, which was the same day that I directed W^m. Murray towards your highness; by such letters as he carried, and others of several dates, your majesty may perceive that I had omitted nothing so far as my travel might reach unto, anent the performing of the two chief points contained the said letter befor the receit thereof, which by these presents I must repeat for answering of the saidis. As to the first, so far as may concern the interceding for the queen your majesty's mother her life, I have divers times, and in every audience, travelled with this queen in that matter, specially to know what her full determination must be in that point, and could never bring her to any further answer, but that this proceeding against her by order of justice was no less against her mind, than against their will that loved her best: as towards her life she could give no answer thereunto, untill such time as the law hath declared whether she was innocent or guilty. Herewithal it was her pleasure thus far to inform me, that it was a number of the associants that earnestly pressed her that the law might proceed against her, giving reasons that so long as she was suffered to deal in matters, so long would never this realm be in quiet, neither her life, neither this state in assurance, and in the end they used this protestation, that if she would not in this matter follow their advice, that they should remain without all blame whatsoever should fall out; whereupon she had granted them liberty to proceed, lest such as had made the request

might hereafter have charged herself with inconvenience if any should happen.

And by myself I know this her speech to be true, because both papist and protestant has behaved them, as it hath been her pleasure to declare, but upon divers respects, the one to avoid suspicion that otherwise was conceived against them, the other upon zeal, and care that they will be known to have for preservation of their sovereign's life and state in this perilous time, upon consideration whereof, I have been constrained to enter into some dealing with both, wherewith I made her majesty acquainted; the protestants, and such as in other matters will be known to bear no small favour unto your majesty's service, hath prayed that they may be excused from any dealing in the contrary of that, which by their oath they have avowed, and by their speech to their sovereign requested for, and that before my coming in this country; if they should now otherwise do, it would produce no better effect but to make them subject to the accusation of their sovereign, when it should please her to do it, of their inconstancy, in giving councell whereby they might incur the danger of ill councellors, and be consequent worthy of punishment. Such of the papists, as I did deal with, went immediately, and told her majesty what I had spoken to them, who albeit she understood the matter of before, sent for me and declared to me my own speech that I had uttered to them, willing me for the weil of my maister's service to abstain from dealing with such, as were not yet sufficiently moved to think of my master as she did. I craved leave of her majesty, that I might inform them of your majesty's late behaviour towards her, and the state of this realm, whereunto with some difficulty she gave her consent. At my late departure from court, which was upon the 5th of this instant, and the day after that the lords of this grand jury had taken their leaves of her majesty to go northward to Fotheringham, it was her pleasure to promise to have further speech in this matter at the returning of the said lords, and to give full answer according to your majesty's contentment to the remainder matters, that I had proponit in name of your majesty. As to the 2d part concerning the association, and desire that the promise made to the master of Gray concerning your majesty's title may be fulfilled; it appears by the said letter, that the very point whereupon the question that may bring your majesty's title in doubt, hath not been rightly at the writing of the said letter considered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promise made by the queen to the said master, and nothing may now cause any doubt to arise against your said title, except that an opinion should be conceived by these lords of this parliament that are so vehement at this time against the queen your majesty's mother, that your majesty is, or may be proved hereafter assenting to her proceedings, and some that love your majesty's service were of that opinion that too earnest request might move a ground, whereupon suspicions might grow in men so ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majesty's innocence at this time, and by reason that good nature and public honesty would constrain you to intercede for the queen your mother,

which would carry with itſelf, without any further, ſome ſuſpicion that might move ill affected men to doubt. In my former letters I humbly craved of your majeſty that ſome learned men in the laws might be moved to adviſe with the words of the aſſociation, and the mitigation contained in the act of parliament, and withall to adviſe what ſuſpicious effects your majeſty's requeſt might work in theſe choleric men at this time, and how their minds might be beſt moved to receive reaſon; and upon all theſe conſiderations they might have formed the words of a declarator of your majeſty's innocence to be obtained in this parliament, and failing thereof, the very words of a proteſtation for the ſame effect that might beſt ſerve for your majeſty's ſervice, and for my better information." Albeit this was my ſimple opinion, I ſhall be contented to follow any direction it ſhall pleaſe your majeſty to give; I have already opened the ſubſtance hereof to the queen of this realm, who ſeems not to be offended herewith, and hath granted liberty to deal therein with ſuch of the parliament as may remain in any doubt of mind. This being the ſum of my proceedings in this matter, beſides the remainder contained in other letters of ſeveral dates, I am conſtrained to lay the whole open before your majeſty, and to humbly pray that full information may be ſent unto me what further to do herein; in this middle time, while I ſhall receive more ample direction I ſhall proceed and be doing according to ſuch direction as I have already received. And ſo, moſt gracious ſovereign, wiſhing unto your majeſty all happy ſucceſs in your affairs, I humbly take my leave from London, 16th of Octr. this 1586. Your majeſty's moſt humble ſubject and obed^t ſervant.

A memorial for his majeſty by the maſter of Gray.

[12 Jan. 1586. An original in his own hand in the Collect. of ſir A. Dick. Vol. A. fol. 222.]

IT will pleaſe your majeſty, I have tho't meeter to ſet down all things as they occur, and all advertiſements as they come to my ears, then jointly in a lettre.

I CAME to Vare the 24th of Dec^r, and ſent to W^m. Keith and Mr. Archibald Douglas to advertiſe the queen of it, lik as they did at their audience. She promiſed the queen your majeſty's mother's life ſhould be ſpared till we were heard. The 27th they came to Vare to me, the which day Sir Robt. came to Vare, where they ſhewed us how far they had already gone in their negociation, but for that the diſcourſe of it is ſet down in our general letter, I remit me to it, only this far I will teſtify unto your majeſty that W^m. Keith hath uſed himſelf right honeſtly and wiſely till our coming, reſpecting all circumſtances, and chiefly his colleague his dealing, which indeed is not better than your majeſty knows already.

THE 29th day of Decr. we came to London, where we were no ways friendly received, nor after the honeſt ſort it has pleaſed your majeſty uſe her ambaſſadors; never man ſent to welcome or convey us. The ſame day we underſtood of Mr. de Bellievre his leave taking, and for that the cuſtom permitted not we ſent our excuſes by Mr. George Young.

THE 1st day of Jan^r. W^m. Keith and his colleague according to the cuſtom ſent to crave our audience. We received the anſwer contained in the general letter, and could not have anſwer till the 6th day, what was done that day your majeſty has it in the general, yet we was not out of eſperance at that time, albeit we received hard anſwers.

THE 8th day we ſpeak with the earl of Leiceſter, where our conference was, as is ſet down in the general. I remarked this, that he that day ſaid plainly the detaining of the queen of Scotland priſoner was for that ſhe pretended a ſucceſſion to this crown. Judge then by this, what is tho't of your majeſty, as ye ſhall hear a little after.

THE 9th day we ſpeak with the French ambaſſador, whom we found very plain in making to us a wiſe diſcourſe of all his proceedings, and Mr. de Bellievre we thanked him in your majeſty's name, and opened ſuch things as we had to treat with this queen, ſave the laſt point, as more largely ſet down by our general.

IT is tho't here, and ſome friends of your majeſty's adviſed me, that Bellievre his negociation was not effectual, and that the reſident was not privy to it, as indeed I think is true, for ſince Bellievre his parting, there is a talk of this Chaſteauneuf his ſervants taken with his whole papers and packets, which he was ſending in France, for that they charge him with a conſpiracy of late againſt the queen here her life. It is alledged his ſervant has confeſſed the matter, but whom I ſhall truſt I know not, but till I ſee proof I ſhall account him an honeſt man, for indeed ſo he appears, and one (without doubt) who hath been very inſtant in this matter. I ſhew him that the queen and earl of Leiceſter had deſired to ſpeak with me in private, and craved his opinion; he gave it freely that he tho't it meeteſt, I ſhew him the reaſon why I communicate that to him, for that I had been ſuſpected by ſome of her majeſty's friends in France to have done evil offices in her ſervice, that he ſhould be my witneſs that my earneſt dealing in this ſhould be a ſufficient teſtimony that all was lyes, and that this knave Naué who now had betrayed her, had in that done evil offices; he deſired me, ſeeing ſhe ſaw only with other folks eyes, that I ſhould no ways impute it to her, for the like ſhe had done to himſelf by Naué his perſuaſion. I anſwered he ſhould be my witneſs in that.

THE 9th day we ſent to court to crave audience, which we got the 10th day; at the firſt, ſhe ſaid a thing long looked for ſhould be welcome when it comes, I would now ſee your maſter's offers. I anſwered, no man makes offers but for ſome cauſe; we would, and like your majeſty, firſt know the cauſe to be extant for which we offer, and likewiſe that it be extant till your majeſty has heard us. I think it be extant yet, but I will not promiſe for an hour, but you think to ſhift in that ſort. I anſwered we mind not to ſhift, but to offer from our ſovereign all things that with reaſon may be; and in ſpecial, we offered as is ſet down in our general, all was refuſed and tho't nothing. She called on the three that were in the houſe, the earl of Leiceſter, my lord admiral, and chamberlain, and very deſpitefully repeated all our offers in preſence of them all. I opened the laſt part, and ſaid, Madam, for what reſpect is it that men deal againſt your perſon or

eſtate for her cauſe? She anſwered, becauſe they think ſhe ſhall ſucceed to me, and for that ſhe is a papiſt; appearingly ſaid I both the cauſes may be removed, ſhe ſaid ſhe would be glad to underſtand it. If, madam, ſaid I, all that ſhe has of right of ſucceſſion were in the king our ſovereign's perſon, were not all hope of papiſts removed? She anſwered, I hope ſo. Then, madam, I think the queen his mother ſhall willingly demit all her rights in his perſon. She anſwered ſhe hath no right, for ſhe is declared unhabil. Then I ſaid, if ſhe have no right, appearingly the hope ceaſes already, ſo that it is not to be feared that any man attempt for her. The queen anſwered, but the papiſts allow not our declaration; then let it fall, ſays I, in the king's perſon by her aſſignation. The earl of Leiceſter anſwered, ſhe is a priſoner, and how can ſhe demit? I anſwered the demiſſion is to her ſon, by the advice of all the friends ſhe has in Europe, and in caſe, as God forbid, that any attempt cuttis the queen here away, who ſhall party with her to prove the demiſſion or aſſignation to be ineffectual, her ſon being oppoſite party and having all the princes her friends for him, having bonded for the efficacy of it with his majeſty of before. The queen made as ſhe could not comprehend my meaning, and ſir Robt. opened the matter again, ſhe yet made as tho' ſhe underſtood not. So the earl of Leiceſter anſwered that our meaning was, that the king ſhould be put in his mother's place. Is it ſo, the queen anſwered, then I put myſelf in a worſe caſe than of before; by God's paſſion, that were to cut my own throat, and for a dutchy or an earldom to yourſelf you or ſuch as you would cauſe ſome of your deſperate knaves kill me. No, by God, he ſhall never be in that place. I anſwered, he craves nothing of your majeſty, but only of his mother. The earl of Leiceſter anſwered that were to make him party to the queen my miſtreſs. I ſaid, he will be far more party, if he be in her place thro' her death. She would ſtay no longer, but ſaid ſhe ſhould not have a worſe in his mother's place. And ſaid, tell your king what good I have done for him in holding the crown on his head ſince he was born, and that I mind to keep the league that now ſtands between us, and if he break it ſhall be a double fault, and with this minded to have bidden us a farewell; but we achevit [i. e. finiſhed arguing upon this point]. And I ſpake craving of her that her life may be ſpared for 15 days; ſhe refuſed. Sir Robt. craved for only eight days, ſhe ſaid not for an hour; and ſo geid her away. Your majeſty ſees we have delivered all we had for offers, but all is for nothing, for ſhe and her councel has laid a determination that they mind to follow forth, and I ſee it comes rather of her councel than herſelf, which I like the worſe; for without doubt, ſir, it ſhall cut off all friendſhip ye had here. Altho' it were that once they had meaned well to your majeſty, yet remembering themſelves, that they have medled with your mother's blood, good faith they cannot hope great good of yourſelf, a thing in truth I am ſorry for; further your majeſty may perceive by this laſt diſcourſe of that I propone, if they had meaned well to your majeſty, they had uſed it otherwiſe than they have done, for reaſon has bound them. But I dare not write all. I mind ſomething to ſpeak in this matter, becauſe we look ſhurly our letters ſhall be truſſit by the way.

For

For that I see private credit nor no means can alter their determination, altho' the queen again and the earl of Leicester has desired to speak with me in particular; I mind not to speak, nor shall not; but assuredly shall let all men see that I in particular was no ways tyed to England, but for the respect of your majesty's service. So albeit, at this time, I could not effectuate that I desired, yet my upright dealing in it shall be manifested to the world. We are, God willing, then to crave audience, where we mind to use sharply our instructions, which hitherto we have used very calmly, for we can, for your honour's cause, say no less for your majesty, than the French ambassador has said for his master.

So I pray your majesty consider my upright dealing in your service, and not the effect, for had it been donble [i. e. possible to be done] by any I might have here had credit, but being I came only for that cause I will not my credit shall serve here to any further purpose. I pray God preserve your majesty and send you a true and sincere friendship. From London this 12th of Jan. 1586.

I UNDERSTAND the queen is to send one of her own to your majesty.

To the right hon. my lord vice-chancellor and secretary to his majesty, from the master of Gray.

[12th Jan. 1586. An original in the Collection of sir A. Dick. Vol. A. fol. 179.]

MY lord, I send you these lines with this inclosed to his majesty, whereby your lordship shall understand how matters goes here. And before all things I pray your lordship move his majesty to respect my diligence, and not the effect in this negociation, for I swear if it had been for the crown of England to myself I could do no more, and let not unfriends have advantage of me, for the world shall see that I loved England for his majesty's service only. I look shortly to find your lordship friend as ye made promise, and by God I shall be to you if I can. W^m. Keith and I devyset, if matters had gone well, to have run a course that your lordship might have here been in credit and others disappointed, but now I will do for you as for myself; which is to care for no credit here, for in conscience they mean not honestly to the king our sovereign, and if they may, he will go the get his mother is gone or shortly to go, therefore, my lord, without all kind of scruple I pray you to advise him the best is not this way. They say here, that it has been said by one who heard it from you, that ye desired not the king and England to agree, because it would rack the noblemen, and gave an example of it by king James the fourt, I answered in your name that I was assured you never had spoken it. Mr. Archibald is the speaker of it, who I assure your lordship has been a poison in this matter, for they lean very mickle to his opinion. He cares not, he says, for at length the king will be fain to deal this way, either by fair means or necessity, so that when he deals this course he is sure to be welcome; to set down all that is past of the like purposes, it would consume more paper than I have here, so I defer it to meeting. There is a new conspiracy alledged against the queen to have been intended, for the French ambassador resident three of his men taken, but I think in the end it shall prove nothing.

nothing. Mr. Stafford, who is ambaſſador for this queen in France, is touched with it, his brother is taken here, always it has done this harm in our negociation, that all this council would not move this queen to meddle with the queen of Scotland's blood, till this invention was found forth. I remit all other things to the incloſed. We minded to have ſent to his majeſty a diſcourſe, which we have ſet down of all our proceedings ſince our hither coming, but we are ſurely advertized that the bearer is to be traiſed by the way for our pacquet, ſo that we defer it till our own coming; this I have put in a private part beſide the pacquet. We ſhall think take leave on Fryday the 13th day, where we mind exactly to follow the rigour of our inſtructions, for it cannot ſtand with the king's honour that we ſay leſs than the French ambaſſador, which was, le roy mon maiſtre ne peult moins faire que ſe reſentir. So that about the 24th I think we ſhall, God willing, be at home, except that ſome ſtay come which we look not for. The queen and the earl of Leiceſter has deſired to ſpeak with me. I refuſed ſave in preſence of my colleagues, by reaſon I ſee a determination which particular credit cannot help, and I crave no credit but for that cauſe. It will pleaſe your lordſhip retire the incloſed from his majeſty and keep it. So after my ſervice commended to yourſelf and bedfellow, I commit you to God. From London the 12th of Jan. 1586.

To the king's majeſty, from ſir Robert Melvil.

[20th Jan. 1586. An original in his own hand, in the Collect. of ſir A. Dick, Vol. A. fol. 181.]

IT may pleaſe your majeſty, ſince the direction of our former letters, we had audience, and her majeſty appeared to take our overtures in good part in preſence of her council; albeit no offers could take place with them, having taken reſolution to proceed with extremity, not the leſs it pleaſed her majeſty to deſire us to ſtay for two days on taking our leave, until ſhe had adviſed upon our propoſitions; ſince which time, her majeſty is become more hard by ſome letters (as we are informed) has come from Scotland, making ſome hope to believe that your majeſty takes not this matter to heart, as we know the contrary in effect, and had of before removed the like opinion out of her majeſty's mind, which by ſmitter information was credited, thir reports has hindered our commiſſion, and abuſed this queen, fearing in like manner we ſhall be ſtayed until anſwer come from Scotland by ſuch perſon as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majeſty takes this proceeding to heart, the truth is, that they have by this occaſion ſo perſuaded the queen, that it is like to hinder our negotiation. As alſo Alchinder (i. e. Alexander) Steward is to be directed in their party, by our knowledge, who has awanyt more of his credit, than I believe he may perform, and we wreat him to deſiſt from this dealing, ſaying it does harm, and he is not meet for that purpoſe, remitting to your majeſty's good diſcretion to take order herein as we ſhall be anſwerable to your majeſty not to omit any point we have in charge, as the truth is, the maſter of Grhaye has behaved himſelf very

very uprightly and diſcreetly in this charge, and evil tayne with be. divers in theſe parts who were of before his friends. We have been behalding to the menſtrals who has born us beſt company, but has not been troubled with others. Wyllieme Kethe hath left nothing undone that he hath in charge. As for maſter Archibald he has promiſed at all times to do his dewoyr, wherein he ſhall find true report made to your majeſty, craving pardon of your majeſty that I have been ſo tedious, after I have kiſſed your majeſty's hand I humbly take my leave. Praying God to grant your majeſty many good days and happy, in whoſe protection I commit your majeſty at London, the 26th of Jan. 1586.

SIR,

ALBEIT Maſter George has not been in commiſſion he is not inferior in his ſervice to any of us, as well by his good advice and diligent care he takes for the advancement of your ſervice, wherein we have not been a little furthered.

To the king's majeſty, from the maſter of Gray and ſir Robert Melvil.

[21ſt Jan. 1586. An original in the Collect. of ſir A. Dick. Vol. A. fol. 180.]

PLEASE it your majeſty in the laſt audience we had, ſince our laſt advertiſement by Wm. Murray, we find her majeſty at the reſuming our offers ſomething mitigated, and inclined to conſider more deeply of them, before we got our leave, at our reaſoning, certain of the council, namely, my lord of Leiceſter, ſir Chriſtopher Haton, my lord Hunſdon, and my lord Hawart being preſent in the chamber, gave little ſhow of any great contentment to heare her from her former reſolution, now caſſin in perplexitie what ſhe ſhould do, always we left her in that ſtate, and ſince we have daily preſſed conference with the whole council, which to this hour we have not yet obtained. This day we have ſent down to crave our leave. The greateſt hinder which our negociation has found hitherto is a perſuaſion they have here that either your majeſty deals ſuperficially in this matter, or that with time ye may be moved to digeſt it, which when with great difficulty we had expugnit, we find anew that certain letters written to them of late from Scotland has found ſome place of credit with them in our contrare. So that reſolving now to clear them of that doubt by a ſpecial meſſage, they have made choice of ſir Alexander Stewart to try your highneſs's meaning in it, and to perſuade your majeſty to like of their proceedings, where from no terror we can ſay out unto him is able to divert him, he has given out that he has credit with your majeſty, and that he doubts not to help this matter at your highneſs's hand. If he come there that errand, we think your majeſty will not overſee the great diſgrace that his attempts ſhall give us here, if he be not tane order with before that he be further heard, and if ſo be that any other be directed (as our intelligence gives us there ſhall) our humble ſuit is to your majeſty, that it may pleaſe your highneſs to hear of us what we find here, and at what point we leave this matter with her majeſty, before that they find accidence, the cauſes whereof remitting to our private letters. We

commit

commit your majesty for the present to God's eternal protection. From London this 21st of Jan. 1586.

No. XVIII. (p. 423.)

Copy of a letter from the earls of Shrewsbury and Kent, &c. touching their proceedings with regard to the death of the Scottish queen, to her majesty's council.

IT may please your hon^ble^ good lordships to be advertised, that on Saturday the 4th of this present, I Robert Beale came to the house of me the earl of Kent in the county of —— to whom your lordship's letter and message was delivered, and her majesty's commission shewn; whereupon I the earl forthwith sent precepts for the staying of such hues and crie as had troubled the country, requiring the officers to make stay of all such persons, as should bring any such warrants without names, as before had been done, and to bring them to the next justice of peace, to the intent that, upon their examination, the occasion and causes of such seditious bruites might be bolted out and known. It was also resolved that I the said earl of Kent should on the Monday following, come to Lylford to Mr. Elmes, to be the neard and readier to confer with my lord of Shrewsbury. Sunday at night, I Robert Beale came to Fotheringay, where after the communicating the commission, &c. unto us sir Amice Pawlet and sir Drue Drury, by reason that sir A. Pawlet was but late recovered, and not able to repair to the earl of Shrewsbury, being then at Orton, six miles off; it was thought good that we sir Drue Drury and Robert Beale should go unto him, which we did on —— morning; and together with the delivery of her majesty's commission, and your lordship's letter imparted unto him what both the earl of Kent and we thought meet to be done in the cause, praying his lordship hither the day following, to confer with me the said earl, concerning the same; which his lordship promised. And for the better colouring of the matter, I the said earl of Shrewsbury sent to Mr. Beale, a justice of peace of the county of Huntingdon next adjoining, to whom I communicated that warrant, which Robert Beale had under your lordship's hands, for the staying of the hues and cries, requiring him to give notice thereof to the town of Peterborough, and especially unto the Justices of peace of Huntingdonshire, and to cause the pursuers and bringers of such warrants to be stayed, and brought to the next justice of peace; and to bring us word to Fotheringay castle on Wednesday morning what he had done, and what he should in the mean time understand of the authors of such bruites. Which like order, I also sir Amias Pawlet had taken on Monday morning in this town, and other places adjoining. The same night, the sheriff of the county of Northampton upon the receit of your lordship's letter came to Arundel, and letters were sent to me the earl of Kent of the earl of Shrewsbury's intention and meeting here on Tuesday by noon; and other letters were also sent with their lordship's assent to sir Edward Montagu, sir Richard Knightly, Mr. Tho. Brudenell, &c. to be here on Wednesday by eight of the clock in the morning, at which time it was thought meet that the execution should be. So upon Tuesday, we the earls came hither,

hither, where the sheriff met us; and upon conference between us it was resolved, that the care for the sending for the surgeons, and other necessary provision should be committed unto him against the time. And we forthwith repaired unto her, and first in the presence of herself and her folks, to the intent that they might see and report hereafter that she was not otherwise proceeded with than according to law, and the form of the statute made in the 27th year of her majesty's reign, it was thought convenient that her majesty's commission should be read unto her, and afterwards she was by sundry speeches willed to prepare herself against the next morning. She was also put in remembrance of her fault, the honourable manner of proceeding with her, and the necessity that was imposed upon her majesty to proceed to execution, for that otherwise it was found that they could not both stand together; and however, sithence the lord Buckhurst's his being here new conspiracys were attempted, and so would be still; wherefore since she had now a good while since warning, by the said lord and Robert Beale, to think upon and prepare herself to die, we doubted not but that she was, before this, settled, and therefore would accept this message in good part. And to the effect that no christian duty might be said to be omitted, that might be for her comfort, and tend to the salvation both of her body and soul in the world to come, we offered unto her that if it would please her to confer with the bishop and dean of Peterborough, she might; which dean we had, for that purpose, appointed to be lodged within one mile of that place. Hereto she replied, crossing herself in the name of the Father, the Son, and the Holy Ghost, saying that she was ready to die in the catholic Roman faith, which her ancestors had professed, from which she would not be removed. And albeit we used many persuasions to the contrary, yet we prevailed nothing; and therefore, when she demanded the admittance of her priest, we utterly denied that unto her. Hereupon, she demanded to understand what answer we had touching her former petition to her majesty, concerning her papers of accounts, and the bestowing of her body. To the first we had none other answer to make, but that we thought if they were not sent before, the same might be in Mr. Waade's custody, who was now in France, and seeing her papers could not any wise pleasure her majesty, we doubted not but that the same would be delivered unto such as she should appoint. For, for our own parts, we undoubtedly thought that her majesty would not make any profit of her things, and therefore (in our opinions) she might set down what she would have done, and the same should be imparted unto her majesty, of whom both she and others might expect all courtesy. Touching her body, we knew not her majesty's pleasure, and therefore could neither say that her petition should be denyed or granted. For the practice of Babington, she utterly denied it, and would have inferred it, that her death was for her religion; whereunto it was eftsoons by us replied, that for many years she was not touched for religion, nor should have been now, but that this proceeding against her was for treason, in that she was culpable of that horrible conspiracy for destroying her majesty's person; which she again denied, adding further, that albeit she for herself forgave them that were the procurers of her death, yet she doubted not but

that

that God would take vengeance thereof. And being charged with the depoſitions of Nauê and Curle to prove it againſt her, ſhe replied, that ſhe accuſed none, but that hereafter when ſhe ſhall be dead, and they remain alive, it ſhall be ſeen how indifferently ſhe had been dealt with, and what meaſure had been uſed unto her; and aſked whether it had been heard before this, that ſervants had been practiſed to accuſe their miſtreſs, and hereupon alſo required what was become of them, and where they remained.

Upon our departure from her, for that it ſeemed by the commiſſion, that the charge of her was in the diſpoſition of us the earls, we required S. Amias Paulet and S. Drue Drurie, to receive, for that night, the charge, which they had before, and to cauſe the whole number of ſoldiers to watch that night, and that her folks ſhould be put up, and take order that only four of them ſhould be at the execution, remaining aloof of and guarded with certain perſons ſo as they ſhould not come near unto her, which were Melvil her ſteward, the phyſician, ſurgeon, and apothecary.

Wednesday morning, after that we the earls were repaired unto the caſtle, and the ſheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were preſent, we which have ſigned this letter, Mr. Henry Talbot, eſq; ſir Edward Montague, knt. his ſon and heir apparent, and William Montague his brother, ſir Richard Knichtly, knt. Mr. Thomas Brudenel, Mr. Beuill, Mr. Robert and John Wingefield, Mr. Forreſt, and Rayner, Benjamin Piggot, Mr. Dean of Peterborough, and others.

At the ſtairfold, ſhe pauſed to ſpeak to Melvil in our hearing, which was to this effect, "Melvil, as thou haſt been an honeſt ſervant to me, ſo I pray thee continue to my ſon, and commend me unto him. I have not impugn'd his religion, nor the religion of others, but wiſh him well. And as I forgive all that have offended me in Scotland, ſo I would that ye ſhould alſo; and beſeech God, that he would ſend him his holy ſpirit, and illuminate him." Melvil's anſwer was, that he would ſo do, and at that inſtant he would beſeech God to aſſiſt him with his ſpirit. Then ſhe demanded to ſpeak with her prieſt, which was denied unto her, the rather for that ſhe came with a ſuperſtitious pair of beads and a crucifix. She then deſired to have her women to help her, and upon her earneſt requeſt, and ſaying that when other gentlewomen were executed ſhe had read in chronicles, that they had women allowed unto them, it was permitted that ſhe ſhould have two named by herſelf, which were Mrs. Curle and Kennedy. After ſhe came to the ſcaffold, firſt, in preſence of them all, her majeſty's commiſſion was openly read; and afterwards Mr. Dean of Peterborough, according to a direction which he had received, the night before, from us the earls, wou'd have made a godly admonition to her, to repent and dye well in the fear of God and charity to the world. But at the firſt entry, ſhe utterly refuſed it, ſaying that ſhe was catholique, and that it were a folly to move her, being ſo reſolutely minded, and that our prayers would little avail her. Whereupon, to the intent it might appear that we, and the whole aſſembly, had a chriſtian deſire to have her die well, a godly prayer,

conceived

conceived by Mr. Dean, was read and pronounced by us all. "That it would pleaſe Almighty God to ſend her his Holy Spirit and grace, and alſo if it were his will, to pardon all her offences, and of his mercy to receive her into his heavenly and everlaſting kingdom, and finally to bleſs her majeſty, and confound all her enemies;" whereof Mr. Dean, minding to repair up ſhortly, can ſhew your lordſhips a copy.

THIS done, ſhe pronounced a prayer upon her knees to this effect, "to beſeech God to ſend her his Holy Spirit, and that ſhe truſted to receive her ſalvation in his blood, and of his grace to be received into his kingdom, beſought God to forgive her enemies, as ſhe forgave them; and to turn his wrath from this land, to bleſs the queen's majeſtie, that ſhe might ſerve him. Likewiſe to be merciful to her ſon, to have compaſſion of his church, and altho' ſhe was not worthy to be heard, yet ſhe had a confidence in his mercy, and prayed all the ſaints to pray unto her Saviour to receive her." After this (turning towards her ſervants) ſhe deſired them to pray for her, that her Saviour would receive her. Then upon petition made by the executioners, ſhe pardoned them; and ſaid, ſhe was glad that the end of all her ſorrows was ſo near. Then ſhe diſliked the whinning and weeping of her women, ſaying, that they rather ought to thank God for her reſolution, and kiſſing them, willed them to depart from the ſcaffold and farewell. And ſo reſolutely kneeled down and having a kercheff banded about her eyes, laid down her neck, whereupon the executioner proceeded. Her ſervants were incontinently removed, and order taken that none ſhould approach unto her corps, but that it ſhould be embalmed by the ſurgeon appointed. And further, her croſſe, apparel, and other things are retained here, are not yielded unto the executioner for inconveniencies that might follow, but he is remitted to be rewarded by ſuch as ſent him hither.

THIS hath been the manner of our dealings in this ſervice, whereof we have thought good to advertiſe your lordſhips, as particularly as we could, for the time, and further have thought good to ſignify unto your lordſhips beſides, that for the avoiding of all ſiniſter and ſlanderous reports that may be raiſed to the contrary, we have cauſed a note thereof to be conceiv'd to the ſame effect in writing, which we the ſaid lords have ſubſcribed, with the hands of ſuch other there the knights and gentlemen above named that were preſent at the action. And ſo beſeeching Almighty God long to bleſs her majeſty with a moſt proſperous reign, and to confound all his and her enemies, we take our leaves. From Fotheringay-caſtle, the 8th of February 1586, in haſt.

Your lordſhips at commandment.

N. B. This, as well as ſeveral other papers in this Appendix, is taken from a collection made by Mr. Crawfurd of Drumſoy, hiſtoriographer to queen Anne, now in the library of the faculty of advocates. Mr. Crawfurd's tranſcriber has omitted to mention the book in the Cott. Lib. where it is to be found.

No. XIX.

No. XIX. (p. 426.)

The objections againſt Mr. Daviſon, in the cauſe of the late Scottiſh queen, muſt concern things done either, 1. Before her trial at Fotheringay. 2. During that ſeſſion. 3. After the ſame.

[Cotton. Calig. C. 1.]

1. BEFORE her trial, he neither is, nor can be charged to have had any hand at all in the cauſe of the ſaid queen, or done any thing whatſoever concerning the ſame, directly or indirectly.

2. DURING that ſeſſion, he remained at court, where the only intereſt he had therein, was as her majeſty's ſecretary, to receive the letters from the commiſſioners, impart them to her highneſs, and return them her anſwers.

3. AFTER the return thence, of the ſaid commiſſioners, it is well known to all her council,

1. THAT he never was at any deliberation or meeting whatſoever, in parliament, or council, concerning the cauſe of the ſaid queen, till the ſending down of her majeſty's warrant unto the commiſſioners, by the lords and others of her council.

2. THAT he was no party in ſigning the ſentence paſſed againſt her.

3. THAT he never penned either the proclamation publiſhing the ſame, the warrant after her death, nor any other letter, or thing whatſoever concerning the ſame. And,

THAT the only thing which can be ſpecially and truly imputed to him, is the carrying up the ſaid warrant unto her majeſty to be ſigned. She ſending a great counſellor unto him, with her pleaſure to that end, and carrying it to the great ſeal of England, by her own ſpecial direction and commandment.

FOR the better clearing of which truth, it is evident,

1. THAT the letter, being penned by the lord treaſurer, was delivered by him unto Mr. Daviſon, with her majeſty's own privity, to be ready for to ſign, when ſhe ſhould be pleaſed to call for it.

2. THAT being in his hands, he retained it at the leaſt five or ſix weeks unpreſented, nor once offering to carry it up, till ſhe ſent a great counſellor unto him for the ſame, and was ſharply reproved therefor by a great peer in her majeſty's own preſence.

3. THAT having ſigned it, ſhe gave him an expreſs commandment to carry it to the ſeal, and being ſealed to ſend it immediately away unto the commiſſioners, according to the direction. Herſelf appointing the hall of Fotheringay for the place of execution, miſliking the court-yard, in divers reſpects, and in concluſion abſolutely forbad him to trouble her any further, or let her hear any more hereof, till it was done. She, for her part, having (as ſhe ſaid) performed all that, in law or reaſon, could be required of her.

4. WHICH directions notwithſtanding, he kept the warrant ſealed all that night, and the greateſt part of the next day in his hands, brought it back with him to the court, acquainted her majeſty withal,

and

and finding her majesty resolved to proceed therein, according to her former directions, and yet desirous to carry the matter so, as she might throw the burden from herself, he absolutely resolved to quit his hands thereof.

5. And hereupon went over unto the lord treasurer's chamber, together with Mr. vice-chamberlain Hatton, and in his presence restored the same into the hands of the said lord treasurer, of whom he had before received it, who from henceforth kept it, till himself and the rest of the council sent it away.

Which, in substance and truth, is all the part and interest the said Davison had in this cause, whatsoever is, or may be pretended to the contrary.

Touching the sending down thereof unto the commissioners, that it was the general act of her majesty's council (as is before mentioned), and not any private act of his, may appear by,

1. Their own confession. 2. Their own letters sent down therewith to the commissioners. 3. The testimonies of the lords and others to whom they were directed. As also, 4. of Mr. Beale, by whom they were sent. 5. The tenor of her majesty's first commission for their calling to the star-chamber for the same, and private appearance and submission afterward inacted thereof, before the lord chancellor Bromley. 6. The confession of Mr. Attorney-general in open court confirmed. 7. By the sentence itself upon record. 8. Besides a common act of council, containing an answer to be verbally delivered to the Scottish ambassador then remaining here, avowing and justifying the same.

Now where some suppose him to have given some extraordinary furtherance thereunto, the contrary may evidently appear by,

1. His former absolute refusal to sign the band of association, being earnestly pressed thereunto by her majesty's self.

2. His excusing of himself from being used as a commissioner, in the examination of Babington and his complices, and avoiding the same by a journey to the Bath.

3. His being a mean to stay the commissioners from pronouncing the sentence at Fotheringay, and deferring it till they should return to her majesty's presence.

4. His keeping the warrant in his hands six weeks unpresented, without once offering to carry it up, till her majesty sent expressly for the same to sign.

5. His deferring to send it away after it was sealed unto the commissioners, as he was specially commanded, staying it all that night, and the greatest part of the next day in his hands.

6. And finally, his restoring thereof into the hands of the lord treasurer, of whom he had before received the same.

Which are clear and evident proofs, that the said Davison did nothing in this cause whatsoever, contrary to the duty of the place he then held in her majesty's service.

Cal. C. 9.

This seems to be an original. On the back is this title, The innocency of Mr. Davison in the cause of the late Scottish queen.

No. XX.

No. XXI. (p. 487.)

Letter from ☉, to his majesty king James.

[From the original, Bibl. Fac. Jur. Edin. A. 1. 34. No. 4.]

MOST worthy prince, the depending dangers upon your affections have been such as hath inforced silence in him, who is faithfully devoted to your person, and in due time of trial will undergo all hazards of fortune, for the maintenance of the just legal rights, that, by the laws divine, of nature, and of nations, is invested in your royal person. Fall not then, most noble and renowned prince, from him whose providence hath in many dangers preserved you, no doubt, to be an instrument of his glory, and the good of his people. Some secrets, I find, have been revealed to your prejudice, which must proceed from some ambitious violent spirited person near your majesty in council and favour: no man in particular will I accuse, but I am sure it hath no foundation from any, with whom, for your service, I have held correspondence; otherwise, I had, long since, been disabled from performance of those duties, that the thoughts of my heart endeavoureth; being only known to this worthy nobleman, bearer hereof, one noted in all parts of Christendom for his fidelity to your person and state, and to Mr. David Fowlis your most loyal servant, my first and faithful correspondent; and unto James Hudsone, whom I have found in all things that concern you, most secret and assured. It may, therefore, please your majesty, at the humble motion of ☉, which jargon I desire to be the indorsement of your commands unto me, that, by some token of your favour, he may understand in what terms you regard his fidelity, secrecy, and service. My passionate affection to your person (not as you are a king, but as you are a good king, and have just title, after my sovereign, to be a great king) doth transport me to presumption. Condemn not, most noble prince, the motives of care and love, altho' mixed with defects in judgment.

1. I, THEREFORE, first beseech your majesty, that for the good of those whom God, by divine Providence, hath destined to your charge, that you will be pleased to have an extraordinary care of all practicers or practices, against your person; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that desire to have their sovereign in minority, whereby the sovereignty and state might be swayed by partiality of subalternate persons, rather than by true rule of power and justice. Preserve your person, and fear not the practices of man upon the point of your right, which will be preserved and maintained against all assaults of competition whatever. Thus I leave the protection of your person, and royal posterity, to the Almighty God of Heaven, who bless and preserve you and all yours, in all regal happiness to his glory.

[b] In the former editions, I printed this as a letter from Sir Robert Cecil, but am now satisfied that I was mistaken in forming this opinion. See Sir D. Dalrymple's Rem. on the Hist. of Scot. p. 233. As the letter is curious, I republish it, though I cannot pretend to say to which of the king's numerous correspondents in England it should be ascribed.

2. NEXT

2. NEXT to the preſervation of your perſon, is the converſation and ſecret keeping of your councells, which, as I have ſaid, are often betrayed and diſcovered, either out of pretended zeal in religion, turbulent faction, or baſe conception, the which your majeſty is to regard with all circumſpection, as a matter moſt dangerous to your perſon and ſtate, and the only means to ruin and deſtroy all thoſe that ſtand faithfully devoted to your majeſty's ſervice. Some particulars, and perſons of this nature, I make no doubt have been diſcovered by the endeavours of this nobleman, the bearer hereof, of whom your majeſty may be further informed.

3. THE 3d point conſiderable is that your majeſty, by all means poſſible, ſecure yourſelf of the good affection of the French king and ſtates, by the negociation of ſome faithful ſecret confident; the French naturally diſtaſting the union of the Britiſh iſlands under one monarch. In Germany, I doubt not, but you have many allies and friends, but by reaſon of their remote ſtate, they do not ſo much importe this affair, which muſt be guided by a quick and ſudden motion.

4. WHEN God, by whoſe Providence, the period of all perſons and times is determined, ſhall call to his kingdom of glory her majeſty (although I do aſſuredly hope that there will not be any queſtion in competition, yet for that I hold it not fitting to give any minute entrance into a cauſe of ſo high a nature), I do humbly beſeech your majeſty to deſign a ſecret, faithful, and experienced confident ſervant of yours, being of an approved fidelity and judgment, continually to be here reſident, whoſe negociation, it were convenient your majeſty ſhould fortifie, with ſuch ſecret truſt and powers, as there may not need 14 days reſpite, to poſt for authority, in a cauſe, that cannot endure 10 hours reſpite, without varieties of danger. In the which it is to be conſidered, that all ſuch as pretend leaſt good to your eſtabliſhment, will not in public oppugn your title, but out of their cunning ambition will ſeek to gain time, by alledging their pretence of common good to the ſtate, in propounding of good conditions for diſburthening the common weale, of divers hard laws, heavy impoſitions, corruptions, oppreſſions, &c. which is a main point to lead the popular, who are much diſguſted with many particulars of this nature. It were therefore convenient, that theſe motives, out of your majeſty's providence, ſhould be prevented, by your free offer in theſe points following, viz.

1. THAT your majeſty would be pleaſed to aboliſh purveyors and purveyance, being a matter infinitely offenſive to the common people, and the whole kingdom, and not profitable to the prince.

2. THAT your majeſty would be pleaſed to diſſolve the court of wards, being the ruin of all the noble and ancient families of this realm, by baſe matches, and evil education of their children, by which no revenue of the crown will be deſrayed.

3. THE abrogating the multiplicity of penal laws, generally repined againſt by the ſubject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretations.

4. THAT your majeſty will be pleaſed to admit free outport of the native commodities of this kingdom, now often reſtrained by ſubal-

ternate persons for private profit, being most prejudicial to the commerce of all merchants, and a plain destruction to the true industry and manufacture of all kingdoms, and against the profit of the crown.

THESE, being by your majesty's confidents in the point of time propounded, will assuredly confirm unto your majestie the hearts and affections of the whole kingom, and absolutely prevent all insinuations and devices of designed patriots, that, out of pretext of common good, would seek to patronize themselves in popular opinion and power, and thereby to derogate from your majesty's bounty and free favour, by princely merit of your moderation, judgment, and justice.

YOUR majesty's favour, thus granted to the subject, will no way impeach the profits of the crown but advance them. The disproportionable gain of some chequer officers, with the base and mercenary profits of the idle and unnecessary clerks and attendants, will only suffer some detriment; but infinite will be the good unto the kingdom, which will confirm unto your majesty the universal love and affection of the people, and establish your renown in the highest esteem to all posterity.

THE Lord preserve your majestie, and make you triumphant over all your enemies.

MY care over his person, whose letters pass in this packet, and will die before he leave to be yours, shall be no less than of mine own life, and in like esteem I will hold all your faithful confidents; notwithstanding I will hold myself reserved from being known unto any of them, in my particular devoted affections unto your majesty, only this extraordinary worthy man, whose associate I am in his misfortune, doth know my heart, and we both will pray for you; and if we live you shall find us together.

I BESEECH your majesty, burn this letter, and the others, for altho' it be in an unusual hand, yet it may be discovered.

Your majesty's most devoted,
and humble servant,
P.

INDEX

Adamson, archbishop of St. Andrews excommunicated by the synod of Fife, 402. is relieved by the general assembly upon conditions, 16 his mean submission to the general assembly - 441

Albany, Alexander Duke of, rebels with his nephew against his brother K. James III. 34. is made prisoner, but escapes to France, ib. concludes a treaty with Edward IV. of England, ib. procures assistance to invade Scotland on mean conditions, 36. returns to Scotland, and is reckoned a traytor, ib. rebels again, but is forced to fly to France 38

——— Duke of, made Regent during the minority of K. James V. 22. 38. is forced to retire to France ib.

Alençon, Duke of, Q. Elizabeth long amused the court of France by carrying on a treaty of marriage with him - - 351

Allen, cardinal, published a book proving the lawfulness of killing excommunicated princes - - 393

Alva, Duke of, his intrigues in favour of Q. Mary, 325. 329. 335. is recalled from his government of the Netherlands - - 340

Ambassadors, their office - 52

Andrews, St. the Archbishop of, remarkably cured of a dangerous distemper, 82. 134. persecutes the Reformers, 100. is imprisoned for celebrating mass, 181. ruins Q. Mary's affairs by his imprudent conduct, 272. is taken prisoner in Dumbarton Castle, and hanged - - 319

Andrews, the castle of, demolished by the French - - 70

——— the prior of, promotes a treaty between the Q. Regent and the Reformers, 108. is one of the chief promoters of the reformation, 118. artful endeavours used to undermine him, 119. is sent by the convention to invite the Queen to Scotland, 151. restrains the turbulent spirit of the people against popery, 161. is sent to restrain the licentious practices of the borderers, 184. a conspiracy against him discovered, 170. is cleared Earl of Mar, 171. See *Mar* and *Murray*.

Argyll, Gilbert de Umfraville, Earl of, was the only man who offered the independency of his country - 7

——— Douglas, Earl of, assumes the Regency during the minority of K. James V. 22. 38. is excommunicated dies in England 39. obtains leave to return into Scotland, 364. surrenders himself to K. James VI. 373. he with several others seize the castle of Stirling to oppose Arran, 374. they are forced to fly into England on the approach of the King with an army, ib. he is attainted and his estate forfeited, 387. is concerned in a plot in favour of Spain, 444. is seized and committed prisoner to the castle of Edinburgh, 443. escapes and flies to the mountains, ib. offers to submit to a trial, 448. sentence is pronounced against him, ib. he refuses to submit - 449

Anjou, Duke of, a marriage proposed between him and Q. Elizabeth 323

Anne, a Princess of Denmark, married to K. James VI. 439. her arrival in Scotland and coronation, 441. heads a party that oppose the chancellor 447

Archbishops, *Bishops*, *Deans*, and *Chapters* revived in Scotland during the King's minority, 333. an act of assembly against these offices, 361, 368. Bishops made subject to presbyteries and assemblies - - - 402

Argyll, Earl of, is appointed to carry the crown matrimonial to the Dauphin of France, 99. uses his interest with the Reformers to make a treaty with the Queen Regent, 107. leaves her court in resentment of her treachery, 109. refuses to accede to a treaty with Murray the Regent, 287. is soon after forced to submit, ib. acts as lieutenant to the Queen after the Regent's murder, 311. is prevailed on to join the King's party, 321. quarrels with Athole, 343. confederates with him against Morton, the Regent, for their mutual defence, ibid. they remonstrate against him to the King, 345. they raise forces against him, 348. negociate a treaty with him by the mediation of Queen Elizabeth,

Elizabeth, 349. is promoted to the office of chancellor, 350. the King's authority delegated to him and Lord Forbes against the Popish Lords, 451. his forces are defeated in an engagement with them - ibid.
Aristocracy, predominant in Scotland 159
Armada, Spanish, preparations for it, 431, 432. it is defeated - 435
Arran, Earl, is appointed Regent during the minority of Q. Mary, 58. becomes suspicious of the Earl of Lennox, 62. is forced to renounce the friendship with England and declare for France, ib. and to persecute the Reformers, 64. publicly abjures the doctrines of the Reformers, ibid. attempts in vain to seize the murderers of cardinal Beatoun, 69. is forced to make a truce with the conspirators, ib. his eldest son is conditionally excluded all right of succession, 70. his mean concession to the court of France, 75. gets the title of Chatelherault, ib. is undermined by the Q. Dowager, 80. proposals and arguments for his resignation - - - - 81
Arran, eldest son of the Duke of Chatelherault, joins in an association with the Reformers, 117. narrowly escapes intended ruin at the court of France, 118. the congregation solicit Q. Elizabeth to marry him, 146. his great imprudence with regard to Q. Mary, 165. discovers a conspiracy against the Queen's favourite, 170. loses his reason, 350, 351. is imprisoned by Morton ib.
——— late Captain Stewart, gets that title and estate, 358. is appointed to conduct Morton from Dumbarton to Edinburgh, ib. his infamous marriage with the Countess of March, 360. his variance with Lennox, ib. is frustrated in an attempt to rescue the King at Ruthven, 365. is confined prisoner to the castle of Stirling, ib. regains his liberty and the King's regard, 370. resumes his power and arrogance, ib. gets the Ruthven conspirators declared guilty of high treason, 372. is detested as author of a persecution against the clergy, 375. is gained over to Queen Elizabeth's interest, 387. gets several forfeited estates, ib. is made chancellor and has unlimited power, 391. his monstrous tyranny and oppression, 392. his power undermined by Wotton the English Envoy, 399. is confined in the castle of St. Andrews, but soon recovers favour, 400. is stripped of his honours and spoils, and reduced to his original station - 401
Articles, Lords of, their origin and business, 49. by whom chosen - 50
Arundel, Earl of, is appointed a commissioner to the conference at Westminster - 391
Asby, ambassador from Q. Elizabeth to Scotland, 423. his great promises to King James, ibid. his promises are soon forgot, 425. he is ashamed and withdraws privately from Scotland, ib.
Assassination, the frequency of it in Scotland, how accounted for, 217. several instances of it in France, 218. a stop put to it there and in Scotland, ib. prevailed greatly afterwards - 442
Assembly of the church of Scotland, the first but feeble and irregular, 150. another assembly, their demands from the convention, 165, 166. two other assemblies in vain solicit an augmentation of their revenues, 176. they address Q. Mary in high strains of complaints, 205. an assembly proceeds at Glasgow notwithstanding the King's interdiction, 362. two assemblies yield many of the privileges of the church to the King, 463. declare it lawful for ministers to sit in Parliament, 465. See *Clergy*.
Association, formed in defence of Q. Elizabeth against Q. Mary - - 389
Athole, Earl of, the occasion of his quarrel with the Earl of Argyll, 343. joins with him in opposing Morton the Regent, ib. dies soon after an entertainment at Morton's, 350. suspicions of his being poisoned - - ibid.
Aubigne, Lord de, second son of the Lord Lennox, arrives in Scotland from France, 352. becomes soon a great favourite of King James, ib. high titles and posts bestowed on him, ib. notes against him, Appendix, 634. See *Lennox*.
Austrian family, their origin and power - - 53, 54

B

Babington, Anthony, some account of him, 404. the rise of his conspiracy against Q. Elizabeth, ib. 405. the names and scheme of operations of his associates, 405. they are betrayed, seized, and executed - - 406
Bacon, Sir Nicholas, appointed one of the commissioners to the confederates at Westminster - - 291
Baliol, John, his claim to the crown of Scotland, 6. is preferred by Ed. I. 10. soon forced by him to resign - ib.
Ball, a trafficking priest, solicits an invasion of England from Spain, 424.

joins in a conspiracy to murder Queen Elisabeth, 405. is discovered and taken into custody, 406. and executed ib.
Barons, their jurisdiction very extensive, 15. the difference between the greater and lesser, whence, 47. three hundred of them remonstrate against the conduct of the Q. Dowager, &c. the lesser obscured by their representatives in Parliament, 431. petition of the lesser Barons to Parliament, Append. 552, 539. *See Nobility.*
Basilicon Doron, a book published by King James VI. strengthens his interest in England 467
Beatoun, Cardinal, made use of by King James V. to mortify the nobles, 41. his pretensions to the Regency on the death of that Prince, 57. forges a testament of the late King, ib. his character, 58. opposes the Earl of Arran, Regent, 60. excites most of the nation against the English, 61. seizes the young Queen and her mother, 62. cajoles the Earl of Lennox, ib. obliges the Regent to renounce England and declare for France, ib. and to persecute the Reformers, 63. chuses the chief direction of affairs, 64. his double dealing with the Earl of Lennox resented, ib. is murdered - 68
Bedford, Earl of, comes as ambassador from Q. Elisabeth to witness the baptism of James VI. 230. his instructions, 231. his letters to Sir W. Cecil, Appendix 577. 578. 584
Belkendon, Sir Lewis, justice clerk, King James's resident at London, 398. joins in promoting Q. Elisabeth's interest in Scotland, ib. is sent with her envoy into that country - - ibid.
Black, Mr. David, minister at St. Andrews, his ridiculous and seditious expressions in the pulpit, 457. is condemned by the privy council, 458. is sentenced by the King to reside beyond Spey - - - - ib.
Blackadder, Captain, and three others, executed for the murder of Darnly 259
Boethius, Hector, his history of Scotland, some account of - - - 3
Bolton Castle, Q. Mary confined a prisoner there - - - - 281
Bont, a foreigner, made governor of Orkney - - - - 91
Borderers, an attempt to restrain their licentious practices, 164. Q. Mary visits them, 225. a scuffle there, in which the English warden, &c. were made prisoners - - - - 342
Borthwick, Lord, assists the Q. Regent in defending Leith - - 128
Bothwell, James Hepburn, Earl of, intercepts a sum of money from England to the Congregation, 127. favours the Q. Regent, but resides at his own house, 128. is by the Earl of Murray summoned to a public trial, 196. prevents it by leaving the kingdom, 197. a sentence of outlawry against him prevented by the Queen, ib. is permitted to return, 201. escapes with her after the murder of Rizio, 215. some account of his former behaviour, 220. 221. commences a favourite of the Queen, 221. he reconciles him to several Lords, with whom he was at variance, ib. he is wounded in attempting to seize one of the borderers, 225. the Queen's extraordinary regard for him on this occasion, ib. to secure adherents he obtains a pardon for Morton and his associates, 232. proposes the reformation of the popish ecclesiastical jurisdiction, 234. is suspected the author of Darnly's murder, 238. is charged with it by Lennox, 239. appointed governor of Edinburgh Castle, 240. his trial is hurried on, ib. Lennox accuses him openly, 242. comes to his trial with a great retinue, ib. is acquitted by a jury, 243. the trial universally censured, ib. several acts of Parliament passed in his favour, 244. he procures an act in favour of the reformation, ib. prevails on several of the nobles to recommend him as a husband to the Queen, 247. seizes the Queen on a journey from Stirling, and carries her to Dunbar, 249. obtains a pardon under the great seal, ib. procures a divorce from his wife, ib. carries the Queen to the castle of Edinburgh, 250. is created Duke of Orkney, 251. and married to the Queen, ib. is not allowed the title of King, ib. watches the Queen very closely, 252. endeavours to get the Prince into his custody, ib. is alarmed with an association of the nobles against the Queen and him, 253. carries the Queen to the castle of Borthwick, 258. raises forces against the confederate lords, ib. he marches against them, ib. proposes a single combat, 259. this how prevented, ib. takes his last farewell of the Queen, and is forced to fly, ib. sends for a casket of letters from Q. Mary to him, 259. they are intercepted by the Earl of Morton, ib. his miserable fate, 266, 267. copy of his divorce from Lady Jane Gordon, Appendix 587. 588
Bothwell, Francis Stewart, created Earl of Bothwell, 436. is imprisoned for consulting witches, 442. escapes and attempts to break into the King's

presence, 448. retires to the north, ib. he and his adherents are attainted, 444. fails in an attempt to seize the King, ib. is taken under protection of Q. Elizabeth, who solicits for him, 445. seizes the King's person, 449. forces him to dismiss the chancellor, and his other favourites, 447. and to grant him a remission, ib. makes another attempt to come at the King, 449. is repulsed and obliged to fly to the north of England, 450. is abandoned by Q. Elizabeth, and forced to fly into Spain and Italy, 453

Bothwell, Adam, Bishop of Orkney, performs the ceremony of marriage of Q. Mary to the Earl of Bothwell 251

Bothwellhaugh. See *Hamilton*.

Boulogne, restored by the French out of the hands of the English, 75. they consent to restore it and its dependencies to the French 76

Bowes, Envoy from Q. Elizabeth, accuses Lennox of disturbing the peace, 354. is refused an audience, ib. is sent to encourage the conspirators at Ruthven, 365. to inquire about King James's correspondence with the Pope 467

Boyd, Lord, his ambitious views in the time of K. James III. frustrated 22
—— is prevailed on to join the king's party against Q. Mary, 321. joins the Ruthven conspirators 364

Brienne, Count de, comes an ambassador from France to witness the baptism of K. James VI. 230

Bruce, Robert, his claim to the crown of Scotland, 6. his grandson asserts his right, and vindicates the honour of his country, 8. he attempts to reduce the power of the nobles 28
—— a priest, employed by the King of Spain to seduce the Scotch nobles 436
—— Mr. Robert, a Presbyterian minister, performs the ceremony of the coronation of K. James's Queen 441
—— Edward, abbot of Kinlos, acquits himself with address and reputation as ambassador at the court of England 366
—— Mr. Robert, a minister, his resolution in refusing to publish the King's account of Gowrie's conspiracy, 480. is deprived and banished on that account ibid.

Buchanan, George, his history of Scotland, some account of, 3. remarks on his dialogue, De Jure Regni, 19. alone accuses Q. Mary of a criminal correspondence with Rizio, 212. approved of assassination, 218. attends the Regent into England when called on to accuse Q. Mary, 294. one of the preceptors of K. James VI. 344. commenced for his great genius

Burleigh. See *Cecil*.

Burnet, when first appointed to preach before the Parliament

Cecil, John, a declaration of his by name of Q. Elizabeth to the Lords of Grange at Letnington, Appendix

Caithness, Earl of, his speech in the trial of Bothwell for the murder of Darnly

Calvin, the patron and reformer of presbyterian church government

Camden, some mistakes of his

Canongate, near Edinburgh, a Parliament held there

Cardan, some account of him, 88. his remarkable cure of the Bishop of St. Andrews

Carey, Sir George, first ambassador from Q. Elizabeth to encourage the conspirators at Ruthven 365
—— Robert, sent by Q. Elizabeth to sooth K. James after the death of his mother, 428. is not permitted to enter Scotland, ib. was the first that brought K. James intelligence of the death of Q. Elizabeth 493

Casket of letters from Q. Mary to Bothwell seized by the Earl of Morton 259

Cassils, Earl of, joins the king's party 321

Castelnau, the French ambassador, is employed to procure the consent of his court to Queen Mary's marriage with Darnly, 191. he endeavours to make up the differences between the Queen and him, 229. his intercession in behalf of Queen Mary 395

Catherine of Medicis, assumes the government after the death of Francis II. her son, 148. her harsh treatment of Q. Mary, ib. her views in behaving more friendly to her, 183. bends her whole endeavours to destroy the Protestants

Cecil, his great capacity as a minister, 239. 253. is employed to negotiate a peace with France, 18. encroaches the French ambassador in the treaty of Edinburgh, 100. a letter of his cited to prove that Q. Elizabeth had no intention to intercept Q. Mary, in her return to Scotland, 178. is appointed a commissioner to consider about Westminster, 241. is sent by Q. Elizabeth on an embassy to Q. Mary, 256. has an interview with her, which excites Q. Elizabeth's jealousy, 257. is treated harshly by Q. Elizabeth for consenting to Q. Mary's death 416

Cecil,

Cecil, Sir Robert, foe to the former, heads the party against Spain, 483. enters into a private correspondence with K. James - - - 484
Celibacy of the popish clergy, a chief engine of their policy - - 87, 104
Charles V. Emperor, his great power, 53. and unlimited ambition, 53, 54. is attacked by Francis I. 58. - - - No. 6. enters a league with Q. Elizabeth - - - 328
Charlemont, Duke of, that title conferred on the Earl of Arran, Regent of Scotland, 73. his right of succession to the crown of Scotland maintained, 95. enters a protestation to save his right, 97. joins the Reformers, in endeavouring to expel the French army, 215. his pusillanimity, 216. becomes obnoxious to Q. Mary, 189. - - - advised of his French pension, 239. is alarmed at the Earl of Lennox's return to Scotland, 282. an accommodation brought about by the Queen's influence, ib. - - - threats to Murray in opposing the Queen's marriage, 301. is pleased on his humble application, but forced to reside in France, 304. his partizans grumble at Murray's being advanced to the Regency, 369, 370. returns from France and heads the Queen's adherents, 389. is made her lieutenant-general, ib. his resolution thereupon, the Regent commits him prisoner to the Castle of Edinburgh, 397. is set at liberty by Kirkaldy, and joins the Queen's party, 311. is proclaimed traitor by Lennox the new Regent, 314. is reconciled to Morton the Regent, 337. articles of a treaty between them, ib. his death 342
Church of Scotland, revolutions in it after the union of the crowns, 499. See Assembly, Clergy.
Church Lands annexed to the crown by Parliament - - - 439
Clan, the institution and nature of - 17
Clergy, popish, their great riches and power, 40. 83. ways made use of by K. James V. to depress the nobles, 41. made a considerable body in Parliament, 86. their great influence over the laity, ib. their power increased by celibacy, 87. they blind the minds of the laity, ib. and tied all matrimonial and testamentary causes, 88. become obnoxious to the laity, ib. their great corruptions, whence, ib. their weak defence of their tenets, &c. try in vain to impose false miracles, ib. their impolitic conduct to the Reformers 100
Clergy, reformed, try in vain to recover the revenues of the church, 151, 152. procure a demolition of all relics of popery, 153. a new regulation concerning their revenues, 168, 169. their stipends, what in those days, 169. are displeased at the moderation of their brethren, 181. occasion a tumult among the people, ibid. 182. more complaints of their poverty, 188. 232. are jealous of Q. Mary, 189. the small allowances appointed to support them, ib. fresh complaints of the deficiency of the funds for their maintenance, 301. are put off with fair words and promises, ib. 306. archbishops, &c. introduced among them by Morton, 333. their grievances under his administration, 341. they approve of the Ruthven conspirators, 368. severe laws made against them, 375. they of Edinburgh fly into England, 376. as do several others that were most eminent, ib. more vigorous measures against them, 387. they obtain no redress on the restitution of the exiled Lords, 401. represent their grievances to Parliament, 428. a maintenance provided for them by Parliament, 430. they prevail to get Presbyterian government established by law, 443. their zeal against the Popish Lords, 447, 448. 452. their rash proceedings, 454, 455. they elect a standing Council of the Church, 456. vindicate one of their number who declined the civil jurisdiction, 457. their Standing Council ordered to leave Edinburgh, 458. this occasions a violent tumult there, ib. 459. they use their utmost efforts to spirit the people, 461. are defeated and fly to England, ibid. are prevailed on to give up many of their privileges, 463. are restored to a seat in parliament, 464. those entitled to this privilege are laid under many regulations and restrictions, 469. the revolutions among them after the Union of the Crowns - - - 499
Clinton, Lord, appointed a commissioner at the conference at Westminster 291
Cockburn, of Ormiston, retrieves a supply of money from the English to the congregation, 197. is intercepted and robbed of it - - - ib.
Cod in Scotland, some account of 224.
Commissaries appointed to try causes in place of the Spiritual Courts, 234. they are deprived of all authority 233
Confession of faith by the Reformers, conceived by Parliament 144
Congregation, the Protestants distinguished by

by that name, 305. their leaders enter into an association, ib. are involved in difficulties, 326. apply to Q. Elizabeth for assistance, ib. money sent them by her, intercepted, 327. make a rash and desperate attempt on Leith, and are repulsed, 328. are no less unfortunate in a second skirmish, ib. are quite dispirited and retreat to Stirling, ib. are joined by the body of the nobles, ib. their army dwindles away, 329. are animated by Knox, ib. they apply again to Q. Elizabeth, ib. their parties harass the French, 333. are assisted by a fleet from England, 334. conclude a treaty at Berwick, with the D. of Norfolk, ib. negociate a peace with France, 339. articles of the treaty, ib. See *Reformation*.

Covenant, national, framed in defence of the King and Government 434

Courtesy of Scotland, what 56

Craig, a minister, boldly testifies against Q. Mary's marriage with Bothwell 251

Crawford, Capt. of Jordan Hill, surprises Dumbarton Castle 318

——— Earl of, one of the heads of the Spanish faction, 433. 436. offers his service to the K. of Spain, ib. joins in rebellion against the King, 437. is forced to submit to him, 438. and imprisoned a short time ib.

Crichton, Regent during the minority of K. James II. his barbarous policy 31

——— a Jesuit, a plot against Q. Elizabeth discovered by his means 388

Criminals, a remarkable instance of the difficulty of bringing them to justice 12

Croc, du, the French ambassador, refused to countenance Q. Mary's marriage with Bothwell, 251. attempts in vain a reconciliation between the Queen and the confederate Lords, 255. mediates a truce between the King and Queen's party in Scotland 328

Crown matrimonial of Scotland, rights conveyed by the grant of, 96. is granted by Parliament to the Dauphin of France, 97. deputies appointed to carry it, but are prevented, 99. is demanded by Darnly 210

Cuninghame, Robert, appears at the trial of Bothwell, in the name of the Earl of Lennox, 242. demands a delay, which is refused ib.

Curle, one of Q. Mary's secretaries, is seized and carried prisoner to London, 408. is produced an evidence against her 413

D

Darnly, Henry Lord, proposed as a husband to Q. Mary, 183. his right of succession considered, 186. is permitted to visit the court of Scotland, 189. arrives there, and quickly gains the Queen's heart 190. his character, 192. disgusts several of the nobles, particularly Murray, ib. cultivates a familiarity with David Rizio, ib. is despised on that account, ib. grows intolerably insolent and haughty, 197. schemes to assassinate Murray, 198. a plot to seize and send him to England prevented by the Queen, ib. his marriage with the Queen celebrated, 200. is honoured with the title of King of Scotland, 202. is implacable with respect to the exiled nobles, 206. loses the Queen's affection by his untoward behaviour, 210. demands the crown matrimonial, ib. becomes suspicious of Rizio's ill offices with the Queen, ib. his resolution to be avenged of him encouraged by the nobles, 212. articles agreed on between them for that purpose, ib. head the conspirators who perpetrate the murder, 213. confines the Queen after it is committed, 218. prohibits the meeting of the Parliament, ib. makes his escape with the Queen, 219. is neglected by her and treated with little respect by the nobles, 222. resolves to leave Scotland, 223. his strange behaviour at the baptism of the Prince, 230. retires to his father at Glasgow, 232. falls sick there, 234. is neglected by the Queen, ib. she afterwards visits and expresses affection for him, 235. he is prevailed on by her to come to Edinburgh, 237. is lodged in a separate house, ib. he is murdered there, ib. his character, 238. a proclamation issued for discovering the murderers, ib. a remiss enquiry made into it, ib. 243. Capt. Blacader and three others executed on that account, 249. the confession of Morton the Regent at his death concerning the murder, 359. observations concerning his murder, 504. paper of objections of the Court of England against his marriage with Q. Mary, App. 567

David I. King of Scotland, his profusion to the church 85

——— II. troubles during his minority 20

Davison, sent into Scotland by Q. Elizabeth, as a spy on the French ambassador, 368. is sent to gain Arran's interest to Q. Elizabeth, 386. brings the warrant for Q. Mary's death to Q. Elizabeth's

Elizabeth's defire, 419. is charged by her with diſobeying her orders, 425. is impriſoned, tried, and fined, and loſes all favour, 426. objections againſt him in the caſe of the late Scotiſh Queen, App. 690

Deſſe, Monſieur, is ſent with a ſupply of forces to aſſiſt the French againſt the Engliſh in Scotland, 74. his ſucceſs there, 75

Diſcipline in the Church, the firſt book of, compoſed, 151. why objected againſt in a Convention of the States, 361. another attempt in favour of Church diſcipline fruſtrated, 361

Douglas, the power and property of that family, 21. they aſpire to independency, ib. Will. Earl of, murdered by K. James II. 92. his ſon endeavours to revenge it, ib. is forced to fly into England, ib.

——— William, Q. Mary committed a priſoner to his caſtle of Lochlevin, 258

——— George, brother to the above, aſſiſts the Queen in making her eſcape, 270

——— Archibald, one of Darnly's murderers, 403. undergoes a mock trial for that crime and is acquitted, ib. is ſent ambaſſador to England, ib. letter from him to the Q. of Scots, Appendix 361. to the King, 651

Drury, Sir William, enters Scotland with an army to ſupport the King's party, 312. they join him and drive off the Queen's, ib. he procures a truce between the King and Queen's parties, 328. comes with forces to aſſiſt Morton in beſieging the caſtle of Edinburgh, 339. which is forced to ſurrender, ib.

——— Sir Drue, is appointed one of Q. Mary's keepers, 391

Dudley, Lord Robert, recommended by Q. Elizabeth as a huſband to Q. Mary, 183. why a favourite of Q. Elizabeth's, ib. is highly promoted by her, 184

Dumbarton Caſtle, ſurpriſed and taken in the King's name by the Regent, 317, 318

Dury, a miniſter of Edinburgh, baniſhed from his charge by K. James for his free invectives againſt the courtiers, 362. after being reſtored, is driven from it a ſecond time for approving the Raid of Ruthven, 572

E

Edinburgh, is taken and burnt by the Engliſh, 65. a great fray there between the French and Scots, 77. is ſeized by the Reformers, 211. its inhabitants are terribly alarmed by the French, 127. a treaty there with the French and Engliſh, 139. a loan demanded of it by Q. Mary, 205. which is granted for the ſuperiority of Leith, ib. the treaty of, inſiſted on by Q. Elizabeth, 231, 232. is poſſeſſed by the Queen's party, 310. and fortified by them, 319. the City and Caſtle hold out againſt the King's forces, 320. are reduced to great ſtraits by famine, ib. are relieved by a truce, 328. the citizens take up arms to promote the King's marriage, 439. they riſe again and inſult the King and his miniſters on the murder of the earl of Murray, 442, 443. aſſiſt the King againſt Huntley, 450. a violent tumult there on account of the clergy, 458, 459. they are ſeverely puniſhed for it by the King, 460. 462. their miniſters return to their charges, 463. divided into pariſhes, and number of miniſters increaſed, ib. they decline publiſhing the account of Gowrie's conſpiracy, 480. all except one, who is baniſhed, are perſuaded by the King to do it, ib.

Edward I. of England, deſtroyed the public archives of Scotland, 3. is made umpire between Bruce and Baliol, 7. his art to acquire the ſuperiority of Scotland, ib. his wars with the Scots under Robert Bruce, 8. 18

Eglinton, Earl of, is prevailed on to join the King's party, 321

Elizabeth, her peaceable acceſſion to the Crown of England, 99. ſupports the congregation in Scotland, 127. relieves to ſupport them on a ſecond application, 130. motives that determined her to aſſiſt them, ib. 131, 132. her deliberate and reſolute conduct, 133, 134. ſends a ſtrong fleet to their aſſiſtance, 1bid. concludes a treaty with them, ib. her right to the Crown of England aſſerted by Francis and Mary, in France, 140. obtains advantageous terms for the Scots, ib. is ſolicited by the Parliament of Scotland to marry the earl of Arran, 146. this ſhe declines, 147. the cauſes of her diſcontent with Q. Mary, 153, 154. her jealouſy of the ſucceſſion, 154. 156. her exceſſive vanity and jealouſy of Mary's beauty, 156. her diſſimulation to her, 157. refuſes her a ſafe conduct, 1bid. evaſively aſſures her that ſhe had no intention to moleſt Mary in her paſſage to Scotland, 1587. ſends to congratulate her arrival in Scotland, 161. refuſes a conceſſion made by Q. Mary, 165. a perſonal interview with Q. Mary propoſed, 176. ſhe artfully declines it, ib. her views in regard to Q. Mary's marriage, 178, 179. aſſumes a diſagreeable authority, ib. names a huſband for Q. Mary, 183. diſſembles

assembles with Q. Mary about her marriage, 184, 185. and likewise with regard to L. Darnly, 186. affronts Q. Mary by her insinuation concerning Lennox, 187. is perplexed about the marriage of the Scottish Queen, 189. permits Darnly to visit the court of Scotland, ib. affects to declare against Q. Mary's marriage to him, 193, 194. her great dissimulation in that affair, 198. her harsh and deceitful behaviour to Murray and his associates who had fled to her, 209. is struck at hearing of the birth of James VI. 222. consents to stand godmother to him, ib. the Parliament address her to settle the succession, 226. this greatly embarrasses her, ib. 227. she soothes and gains her Parliament, 228. endeavours to accommodate her differences with Mary, 231. writes to her to delay the trial of Darnly's murderers, 242. interposes in her behalf when a prisoner, 260. her ambassador is refused access to Q. Mary, 261. she offers assistance to the other nobles, ib. her deliberations concerning the disposal of Q. Mary on her arrival in England, 275. resolves to detain her there, 276. sends her letters of condolence, and gives orders to watch her conduct, 277. she gladly accepts the office of umpire between her and her subjects, 278. receives a very pressing letter from Q. Mary, 280. her precautions against her, ib. appoints commissioners to hear Q. Mary and her accusers, 284. receives the Regent's demands, 288. removes the conference to Westminster, 289. her mean artifices to get the evidence of Q. Mary's guilt from the Regent, 293. treats her with greater rigour, 294. writes a harsh letter to Q. Mary, ibid. she dismisses the Regent without approving or condemning him, 295. but secretly supports his party, ibid. makes proposals to the Regent in her favour, 298. Norfolk's project concealed from her, 300. discovers and defeats a rebellion in Q. Mary's favour, 303. resolves to deliver her up to the Regent, 306. her great concern at his death, 309. continues to encourage factions in Scotland, 310. her political conduct with regard to Lennox, 312, 313. is excommunicated, and deprived of her kingdom, &c. by the Pope, 315. supports the King's party in Scotland, and names Lennox to be Regent, ibid. proposes a treaty of accommodation between Q. Mary and her subjects, 314. procures a cessation of hostilities, ibid. sends a parcel to Q. Mary, ibid. appoints commissioners to frame a treaty, 316. finds a pretence to render their meeting fruitless, 317. a marriage proposed between her and the D. of Anjou, 323, 324. declares openly against the Queen's party, 326. concludes a treaty with France, 328. negotiates a treaty between Morton and his adversaries, 329. her answer to K. James's demand of a possession of an estate in England, 350. a marriage between her and the D. of Alençon proposed, 352. interposes in behalf of Morton, 354. her measures in order to save him, 356. countenances the conspirators, 358. Ruthven, 365. is alarmed at a conspiracy against her, 385. the designs of Q. Mary's adherents against her, 386. endeavours to recover her interest in Scotland, and gains Argyle to her interest, ib. amuses Q. Mary with a fruitless negotiation, 388. a new conspiracy against her, ib. an association formed for her defence, 389. her suspicions of Q. Mary, 390. her life endangered by a conspiracy, 393. this how discovered and prevented, ib. is in a dangerous situation from the projects of the holy league, 397. endeavours to form a confederacy of the Protestant Princes, ibid. and to proceed with rigour against Q. Mary, 398. advances her interest in Scotland, and proposes a league with it, ib. 399. settles a pension upon K. James, ibid. concludes a treaty with Scotland, 402. account of Babington's conspiracy against her, 404—406. her dissimulation after Q. Mary's conviction, 415. her answer to K. James's intercession for her, 417. her farther dissimulation and anxiety, 418. signs the warrant for her execution, 419. her speech to Davison on that occasion, ibid. affects to lament Q. Mary's death, 425. she endeavours to soothe K. James, 429. provocations given by her to Spain, 432. endeavours to secure Scotland, 437. tries to prevent K. James's marriage, 438. solicits him to treat conspirators against him with rigour, 445. evades the decision of K. James's right of succession to the Crown of England, 466. is glad of several of his proceedings, 467. discovers his correspondence with the Pope, 468. fresh grounds of her suspicion, 482. her conduct with regard to the Earl of Essex, 486. her resolution concerning his death, and great concern after it, ib. receives Ambassadors from K. James with re-

...ard, and increases the subsidy, 487. her last illness, 489. her death, 491. and character, ib. 492. declared the K. of Scots her successor, 492. some of her letters, appendix, 568. 578. 586. 591. 608. 611. 614.

Edinburgh, secretary to K. James VI. receives him into a correspondence with the Pope, 488. tried and found guilty of high treason, and pardoned on the Queen's intercession, ib.

England, the English cause and design K. James I. of Scotland long a prisoner, 21. the nobles there humbled, 23. his early ties to the house of Parliament, 48. they invade Scotland, 65. there depredations there, 66. a peace between England, France, and Scotland, 69. invade Scotland again, 71. gain a great victory, 72. they force the Scots into a closer union with France, 74. conclude a peace, 76. an English fleet arrives in Scotland to assist the congregation, 133. a peace concluded between them, 134. they enter Scotland and besiege the French in Leith, 135. are repulsed, 136. articles of a treaty of peace, 140. they quit Scotland, 141. reflections on the right of succession to their Crown, 135, 136. the Parliament favours Q. Mary's right of succession, 196. a league between England and France, 318. between England and Scotland, 402. the national covenant adopted in England, 434

Entails, with what view introduced 14

Episcopal government in the Church, some account of it, 148. an attempt to revive it, 333. it is abolished by the Assembly, 361. jurisdiction established, 443. See *Bishops*.

Errol, Earl of, one of the heads of the Spanish faction, 433. his offers of service to the K. of Spain, 436. appears in rebellion, 437. is forced to submit to the King, 438. imprisoned for a short time, ibid. joins in another conspiracy, 444. is summoned by the King to surrender, 445. offers to submit to a trial, 448. sentence pronounced against him ib.

Erskine of Dun, is employed by the Queen Regent to deceive the Protestants, 105. his resentment of this stage ib.

Lord, governor of Edinburgh Castle, acts a neutral part between the Queen Regent and the congregation, 128. receives the Queen Regent into the Castle, 135. is created Earl of Mar, 174. See *Mar*.

—— Alexander, has the chief direction of the Education of K. James VI. 341. admits some of the nobles to make complaints to him against Morton the Regent, 343. is turned out of Stirling Castle by his nephew the Earl of Mar 347

Estrad, the French envoy endeavours to contract a treaty between England and Scotland 382

Essex, Earl of, set up by the English faction as a candidate for the Crown, 452. heads a party in England, 483. his character, ibid. is greatly distinguished by the Queen, ibid. favours the K. of Scots, ib. obtains the offices of Lord Lieutenant and Commander in Chief in Ireland, ib. is unsuccessful in that expedition, ib. receives a harsh letter from the Queen, 482. returns to England and is confined, ibid. is tried and censured, ibid. endeavours to stir up King James, ib. his rash and frantic conduct, 485. is again taken into custody, ibid. his death, 486. his sons and associates are restored to their honours after the accession of K. James ib.

Europe, the state of, at the beginning of the sixteenth century 51

Excommunication, a terrible engine of the Popish Clergy 85

Felton, an Englishman, fixes the Pope's excommunication of Q. Elizabeth on the gates of the Bishop of London's palace 313

Fenelon, Monsieur la Mothe sent by the French King to interpose for K. James when confined by the Ruthven conspirators, 368. is forced to return without success ibid.

Feudal Government, its origin and principles, 9, 10, 120 causes which limited the power of feudal monarchs, 11. remarkable influence of the nobles of feudal governments, ib. the most perfect idea of the feudal system, how attained, 26 state of it in England, 26—42 and in Scotland, 46, 47.

Fife, a populous and powerful country, much devoted to the congregation, 133. is destroyed and plundered by the French, ibid. the synod of, excommunicates the Archbishop of St. Andrews for contumacy, 200 they excommunicate the Popish lords 442

Flowden, the battle of 38

Forbes, Lord, with the Earl of Argyle, is sent against the Popish lords, 455. are defeated by them ibid.

Fordun, John de, his history of Scotland 3

Forster, Sir John, warden of the English border,

border, a scuffle between him and the Scots 369
Fotheringay Caſtle, Q. Mary's impriſonment, trial, and death there 408—432
France, the conſequences of the ſubverſion of the feudal government there, 52. a body of French arrive in Scotland, to ſupport the Catholics, 70. they reduce the caſtle of St. Andrews, ibid. another party of them arrive there, 74. conclude a peace with England, 76. they leave Scotland, ibid. their artifices in a treaty of marriage between the Dauphin and the Q. of Scots, 95. the Proteſtants endeavour to expel the French army out of Scotland, 114. another party of them arrive there and fortify Leith, 119. they exaſperate the people by their inſolence, 120. they are ſent againſt the congregation, 132. they deſtroy and plunder Fife, and are much haraſſed by parties of the congregation, 133. are greatly alarmed by the arrival of the Engliſh fleet, ibid. they return to Leith greatly haraſſed and exhauſted, 134. are beſieged there by the Engliſh and the congregation, 135. they gain ſeveral advantages, 136. their motives for concluding a peace, 138. negotiations for that purpoſe, 139. articles of the treaty, ib. 140. they leave Scotland, 141. the French adviſe Q. Mary to moderate meaſures, 152. their propoſals by an ambaſſador rejected, ibid. they agree to Q. Mary's marriage with Lord Darnly, 191. the licentiouſneſs of their morals 236
France, King of, a copy of his directions ſent to Scotland, Append. 436
Francis I. gives a check to the ambitious projects of Charles V. 54. his fidelity to the Scots, 67. his death 69
——— II. comes to the crown of France, 116. his character, ibid. 147. is guided by the Duke of Guiſe and Cardinal of Lorrain, ibid. he treats the Proteſtants with great rigour, 138. his death 147

G

Gifford, Doctor and Gilbert, their notion concerning the lawfulneſs of killing heretical excommunicated Princes, 404. they join in a conſpiracy to kill Q. Elizabeth, ibid. Gilbert being gained by Walſingham betrays his aſſociates, 405. 406. is employed to carry on a foreign correſpondence with Q. Mary 426
Glamis, Lady, is condemned to be burned for witchcraft 41
——— Lord, chancellor, intimates the King's order to Morton to ſurrender the Regency, 345. is killed in a rencounter at Stirling 347
Glamis, the tutor of, joins the conſpiracy of Ruthven, 364. his bold ſpeech to K. James, ibid. he with the other conſpirators, ſeize the Caſtle of Stirling, and erect their ſtandard, 374. he is attainted, and his eſtate forfeited 387
Glaſgow, Biſhop of, a note of his concerning the queen of Scotland's dowry, Append. 431
Glencairn, Earl of, joins the Ruthven conſpirators 364
Glenlivat, the battle of 451
Gordon, Sir John, a ſcuffle in the ſtreets of Edinburgh between him and Lord Ogilvy, 172. being confined for it, he makes his eſcape, ibid. when ordered by the Queen to ſurrender himſelf, he takes up arms againſt her, ib. 173. is defeated, and together with his brother, made priſoners, 175. he is beheaded and his brother pardoned ibid.
——— Lord, ſet at liberty 201
——— Sir Adam, exerts himſelf for the Queen's intereſt in the north, 327. his character and good conduct as a ſoldier 328
Gowrie, Earl of, joins in a conſpiracy to ſeize the King at Ruthven, 364. is viſited and pardoned by the King after his eſcape, 370. becomes ſuſpected, and is ordered for France, 374. delays his voyage, and is taken into cuſtody, ibid. he is tried and executed ibid.
——— John and Alexander, ſons of the above, their character and conſpiracy, 470. their dead bodies brought into Parliament and condemned, 487. their eſtates and honours forfeited, and name aboliſhed for ever, ibid. See *Ruthven*.
Graham, Sir David, of Fintry, accuſed of a conſpiracy with the Popiſh Lords in favour of Spain, 445. is convicted and beheaded ibid.
Gray, maſter of, ſome account of him, 390. he becomes a favourite of K. James VI. 391. is gained to Q. Elizabeth's intereſt, ibid. betrays Q. Mary, ibid. perſuades K. James to write a harſh and unuſeful letter to her, 393. joins with others in promoting Q. Elizabeth's intereſt in Scotland, 398. his treachery when ſent to intercede for Q. Mary, 418. his baſeneſs diſcovered, he is diſgraced, 428. his vain attempt againſt ſecretary Maitland, ibid. dies in Italy as a ſpy from the court of England, 467. a memorial of his for his Majeſty, Appendix, 860—863. to the ſecretary of ſtate 865
Guiſe, Duke of, his violent counſels with regard to the Scots, 116. is murdered at the ſiege of Orleans 178
——— his intrigues againſt Q. Elizabeth,

385, 386. his principal promoter of the holy league, 397, 398. drives the French King out of his capital, ibid.

Haddington, seized and fortified by the English, 74. is relieved by the French, 75

Hamilton, the rise of that family, 22. arbitrary proceedings of Murton the Regent against it, 350, 351. See *Cambuskenneth*.

Hamilton, of Bothwellhaugh, taken prisoner at the battle of Langside, 281. is tried and condemned for rebellion, ibid. obtains a pardon from Murray the Regent, by the intercession of Knox, ibid. an account of his murdering Murray, 306, 307. makes his escape, ibid. is received in triumph at Hamilton, 309

——— Mr. Patrick, the first who suffered in Scotland for the Protestant religion, 99

Hartford, Earl of, invades Scotland with an English army, 65. burns Edinburgh and Leith, ibid. is made Duke of Somerset, and protector of England, 71. See *Somerset*.

Hatton, vice-chamberlain of England, the argument by which he prevailed on Q. Mary to plead at her trial, 410

Henry II. of France, sends forces to assist the Scots, 70. a marriage proposed between his son the Dauphin and the young Q. of Scots, 74, 75. excites the Scots to invade England, 92. his infamous imposition on Q. Mary in the treaty of marriage, 95. perswades his son and Q. Mary to assume the titles of King and Queen of England, &c. his death, 115

——— III. degenerates greatly on his accession to the crown of France, 396. enters into a private negotiation with Q. Elizabeth, 398. intercedes feebly in behalf of Q. Mary, 415

——— VIII. of England, by his system of reformation becomes formidable both to Papists and Protestants, 42. proposes an interview with King James V. ibid. is disappointed by him, and declares war against Scotland, 43. invades it, but is forced to retreat, 44. his importance as to the balance of power in Europe, 54. his influence in Scotland how obtained, 55. his schemes with regard to it on the death of James V. 59 were ill conducted by himself, and odious to the Scots, ibid. his treacherous seizure of Scots ships that took shelter in his ports, 61. attempts to gain the Regency by great promises, 62. invades Scotland, 65. receives and rewards the Earl of Lennox, 66. encourages the murderers of Cardinal Beatoun, 69. his death and character, ib. his inconsistent conduct, 102. excluded the Scotch line by his testament, ibid.

Herries, Lord, joins Chatelherault in opposing the Regent, 297. comes to a treaty with him, ibid. he and the Duke are committed prisoners to the castle of Edinburgh, ibid. intimates the king's order to Morton to resign the Regency, 345. account of his behaviour in Parliament, Appendix, 604. a letter from him to Lord Scroop and Sir F. Knollis, 607

Hertford, secretary to the Duke of Norfolk, betrays him by discovering his intrigues with Q. Mary, 324, 325

Hebrides and Isles, an attempt to civilize them by King James VI. 488. regulations for that purpose, ib. three towns endued with the privileges of royal boroughs ordered to be built there, ibid.

Hodgson, a priest of Rheims, maintained the lawfulness of killing heretical excommunicated Princes, 404

Home, Alexander Lord, thwarts the measures of the Duke of Albany, Regent, 22

——— Lord, sent by King James VI. with a secret embassy to the Pope, 468

Howard. See *Norfolk*.

Hume, Lord, governor of Berwick, his interview with Arran, 287

Hamley, Earl, though a catholic, joins the reformers in opposing the French army, 115. assists them only with fair promises, 128. his further concurrence with them, 137. some account of that family, 170, 171. his enmity against the young queen's ministers, ibid. his resentment inflamed by an accident, 172. appears in an open rebellion against the Queen, 173. his plot against her ministers disappointed, 174. breaks out into open rebellion, ibid. is trodden to death in a battle, 175. his family prosecuted with the utmost rigour, ib. is attainted by parliament, 180. the attainder repealed, and the family restored to estate and honours, 344

——— his attachment to Bothwell, 341. 346. refuses to submit to the regent, 297. is forced to do it, ib. acts as lieutenant to the queen after the Regent's murder, 321. is proclaimed a traitor by Lennox the new Regent, 314. receives some money and promises of assistance from Spain, ibid. agrees to a treaty with Morton the Regent, 337. is one of

of the heads of the Spanish faction, 433. engages to the Prince of Parma to serve the king of Spain, 434. is imprisoned for a short time, 447. breeds a kindred of rebellion, ibid. but forced to submit to the King, 448. is again imprisoned, ib. is soon set at liberty, ibid. receives a commission from the King, 449. his barbarous murder of the Earl of Murray, 443. is summoned to surrender to justice, ibid. flies to the mountains, 445. offers to submit to a trial, 448. sentence pronounced against him, ibid. refuses to submit, 449. makes another desperate attempt, but is forced to fly 451

James I. was detained long a prisoner in England, 21. troubles in Scotland during that time, ibid. was much improved by an English education, 28, 29. his policy on his return to Scotland, ibid. his character, ibid. 30. suppresses the power of the nobles, ibid. they being exasperated, conspire against, and murder him 31.

James II. troubles in Scotland during his minority, 21. his attempts against the nobles, 31. murders the Earl of Douglas, 32. procures several good laws to be passed, 32, 33. reduces the power of the nobles, ib. his death 33

— III. the state of Scotland during his minority, 21. his impolitic conduct, 31, 34. kills one of his brothers, and is invaded by another, ib. is greatly insulted by his nobles, 35. his despicable minions, ib. was the first that appointed a standing guard to his person, 36. the nobles are provoked to take arms against him, ib. is killed in a battle against them, 37. his character ibid.

— IV. his character, 37. is killed in a battle against the English at Flowden 38.

— V. his minority long and turbulent, 22. transactions during that time, 38. assumes the government while very young, 39. his character, ibid. his scheme for humbling the nobles, 39. 42. is diverted from it by the clergy, 43, 44. takes arms for the defence of his kingdom, ibid. his nobles refusing to follow him, throws him into a deep melancholy, 44. 45. which is increased by a surprising defeat of his forces, ib. his death, ib. he refuses an alliance with Charles V. Emperor 55.

James VI. his birth, 221. his baptism, 230. the care of him committed to the Earl of Mar, 230. is by him preserved from falling into the hands of Bothwell, 233. is seized by the nobles, ibid. is obliged to consent to the imprisonment of his mother, 234. his resentment, 235. attempts to unite the nobles, 239. is courted both by Spain and England, 239. resolves to adhere to the latter, ibid. takes several steps with that view, ibid. his behaviour with regard to Archd. Douglas, 405. his endeavours to save his mother's life after her condemnation, 416. is greatly incensed at her death, 426. his arguments used by the English ministers to pacify him, ibid. is forced to rise in his resentment, 427. attempts to unite the nobles, 429. is courted both by Spain and England, 433

INDEX.

him retired in Scotland with his Queen, 446
cardinal and the Presbyterians, ibid.
their insolent remonstrance to him, ibid.
his resentment against them, 445.
Appendix
his suspicions of combining with them, 446
is surprised and seized by Both-
well, ibid. and forced to comply with
his terms, 447
his levity to Bothwell blamed, 449.
is suspected of favouring
the popish lords, ibid.
from them, ibid.
rity to Argyle and Forbes against them, 451.
goes in person against them, ibid.
wastes their lands and garrisons their
castles, 452.
his right of the succession
to the crown of England opposed by the
papists, ib.
his journey to Berwick
the clergy and people, 453.
provoked by the obstinacy of the clergy, 457.
gives orders against them, 458.
Edinburgh, 458. 460.
leaves Edin-
burgh and proceeds with severity against
the citizens, 460. 462.
acquires abso-
lute dominion in ecclesiastical affairs, 463. 464.
strengthens his interest in
parliament, by restoring the seats of the
ecclesiastics 464. 465.
endeavours with
success to gain a party in England, 465.
increases his reputation by publishing
his Basilicon Doron, 466.
is accused by
Q. Elizabeth of corresponding with the
Pope, 467.
is at great pains to gain the
Roman Catholics, 468.
his regulations
with regard to the church, 469. 470.
the mysterious affair of Gowrie's con-
spiracy, 470—482.
his cautious behaviour in regard to the Earl of Essex, 483.
sends ambassadors to save him, ibid.
they arrive too late, 486.
he re-
stores his son and associates to their
honours after his accession, ibid.
continues his intrigues in England, ibid.
487.
endeavours to civilize the high-
lands and isles, 488, 489.
is proclaim-
ed King in England, after the death
of Q. Elizabeth, 491.
is proclaimed
likewise in Scotland, 493.
prepares for
his journey to England, 494.
enters
London and takes possession of the
throne, ib.
his character, how different
from that of Q. Elizabeth, ibid.
letter
from him to Mr. Archibald Douglas,
Appendix, 657.
curious letter to him
from an unknown English correspon-
dent 672.
Hermes castle, refuses to surrender to Q.
Mary, 173.
is forced, and the go-
vernor punished
174.
Italy, the liberty of, how preserved
by the balance of power, 32.

Kirk, Sir William, sent to intercede for
Q. Mary, when under sentence, 416.
dismissed by Q. Elizabeth on receiving
Appendix
Kirkaldy, Earl of, appointed to see the sentence
against Q. Mary executed
Knox, Reformation, revenge, England on the
murder of Murray the Regent, 309.
Gen. brother to L. Newcastle, is
discovered when ready to sail on pro-
jects in Spain, 444.
his scheme
opened, 445.
escapes out of prison 446
Killigrew, Henry, his declaration on the
peace, Appendix
Kings, feudal, the most limited of all
princes, their revenues were but
small, 12.
had no standing armies,
12. and jurisdiction limited, 13.
means
used to extend the royal authority, 29.
their jurisdiction enlarged, 35.
the ex-
traordinary influence of the Scottish
Kings in Parliament
Kirkaldy of Grange, one of the murderers
of Beaton, is detained by the Q. Dow-
ager, 93.
his attainder reversed in Par-
liament, 280.
offers to fight Bothwell
single combat, 296.
his interview
with Q. Mary, in name of the confede-
rate Lords, ibid.
rescues Maitland from
confinement, 323.
labours to support
the King's authority, and to restore
harmony after the murder of the Re-
gent, 330.
to
renders to the Queen's
party, ibid.
provides for a siege by in-
creasing his garrison, and fortifying
Edinburgh castle, 338.
proclaims Lennox's
authority unlawful and usurped, ibid.
attempts in vain to prevent a meeting
of the Parliament, 339.
forms a scheme
for surprising the King's party, 341.
is at first successful, but afterwards de-
feated, 342.
comes near to an agree-
ment with Mar the Regent, 391.
a
treaty with Morton broke it off, 336.
surprises Edinburgh from the
castle, 387.
is besieged by the Regent,
assisted by the English forces, 338.
is
forced by mutiny of the garrison to ca-
pitulate, ibid.
surrenders to Drury the
English general, ibid.
is by order of Q.
Elizabeth delivered up to the Regent,
340.
he and his brother are executed
ibid.
Kroll, Sir Francis, sent by Q. Elizabeth
with letters of condolence to Q. Mary
on her arrival in England, 277.
some
account of his letters, Appendix 606, 607, 612, 616

Knox,

Knox, John, a famous reformer, his character, 78. after being some time abroad, he is recalled by the persecuted Protestants, 106. inflames the multitude at Perth with rage against the Papists, ib. his notion concerning the government of women whence, 129. his residence fixed in Edinburgh, 173. animates and revives the desponding Congregation, 229, 230. complains of the neglect of the reformers in providing maintenance for their preachers, 245. recommends the Geneva model of Church Government, 250. proposes superintendants in the church, ibid. composes the first book of discipline, 251. renounces friendship with the Earl of Murray for his moderation, 281. is tried for encouraging a mutiny among the people and acquitted, 282. is publicly accused by Maitland of preaching seditious doctrine concerning resistance, 289. characters of the two disputants, ib. approved of several instances of assassination, 319. agrees to some regulations concerning the election of Bishops, 334. his death and character, ib. 335. specimen of his eloquence, ibid. his eulogium by Morton the Regent, ibid. articles sent by him to the general Assembly, Appendix - - - 618

L

Long side, the battle of 272, 273
Laureon, cardinal, is sent as a nuncio from the Pope with a present to Q. Mary of Scotland, 228. is stopped at Paris - - - 229
League, holy, a confederacy of Roman catholics so called, 397. was universally agreed to by them all over Europe ibid
Learning, the revival of, promotes the reformation - - - 84
Leicester, Earl of, appointed a commissioner to the conference at Westminster 291
Leith, burnt by the English, 66. fortified by the French, 119. besieged by the English, 135. Q. Mary lands there from France, 159. the superiority of it granted by her to Edinburgh, 205. is seized and fortified by Morton the Regent - - - 319
Lenox, Earl of, arrives in Scotland from France, 62. his pretensions to the succession, how founded, 64. resents Bertoun's deceitfulness to him, ibid. heads the reformers and the advocates for the English alliance, 65. surprises the Regent and cardinal, ibid. is outwitted by the cardinal, ib. continues alone in the interest of England, 66. is forced to fly to that court, where he is rewarded, ib. is married to a niece of K. Henry's, by which he became father to a race of Kings, ib. his claim to the succession, 286. is imprisoned for a secret correspondence with Q. Mary, ib. is invited secretly by her to return to Scotland, ib. arrives in Scotland, and is received with great familiarity by her, 287. his forfeiture is repealed, and he is restored to his estate and honours by the Parliament, 288. his lady sent prisoner to the Tower of London, 295. and treated with rigour, 308. he insists on the prosecution of his son Darnly's murderers, 329. charges Bothwell with it, ibid. the prosecution is hurried, 340. he craves a delay, which is refused, 341. solicits Q. Elizabeth's interest to obtain a delay, 342. insists on it by proxy at the trial, but is over-ruled, ib. being apprehensive of danger he flies towards England, 344. his countess accuses Q. Mary of the murder to Q. Elizabeth, 378. he appears at the conference at Westminster, and accuses Q. Mary of the murder upon oath, 392. returns to Scotland protected by an English army, 312. is elected Regent, 313. his progress against the Queen's party, ibid. appoints commissioners to frame a treaty with those of the Queen, 316. surprises Dumbarton castle, 317, 318. joins the Earl of Morton at Leith, 319. holds a Parliament in the Canongate, 320. another at Stirling, 321. he is surprised and killed there 322
Lenox, Lord Aubigny, his character, 352. joins with the King's other new favourite to undermine Morton, 353. renounces Popery, 354. Q. Elizabeth demands him to be removed from the privy council, ib. is accused by her ambassador, 357. Arran tries in vain to supplant him, 360. is commanded by K. James at the request of the nobles to leave the kingdom, 365. returns unwillingly to France, where he soon dies a Protestant - - 367
——— Earl of, left as the King's lieutenant in the north after dispersing the popish Lords - - - 452
Leslie, Norman, murders Cardinal Bertoun, 68. he and his associates keep possession of the castle of St. Andrews, 69. makes a truce with the Regent, ibid. are encouraged by Henry VIII. ibid
——— Bishop of Ross, is sent by the Catholics in Scotland to engage Q. Mary in their interest, 251. his proposals to her rejected, ibid. 252. his negociations in England in favour of Q. Mary, 324. is confined long in the Tower,

Tower, and afterwards is banished England - - 325
Lindsay, Lord, carries the proposal from the confederates to Q. Mary, that she should resign the government, 263. joins the Ruthven conspirators 364
Lochleven castle, Q. Mary committed a prisoner there, 258. her escape from thence - - 270
——— *Lord*, letters to and from him, Appendix - - 631
Logan of Restalrig, an alleged accomplice in Gowrie's conspiracy, 476, 477. is tried, and his estate forfeited long after his death - - ibid.
Lords, confederate, associate against Bothwell and Q. Mary, 253. raise forces against them, 254. prevail on the Queen to surrender to them, 256. assume the title of Lords of the secret council, and the royal authority - 258
—— popish, conspire against K. James, 436. are treated by him with great lenity, 437. form a new conspiracy, 444. the King proceeds against them, 445. more of his lenity to them, 448. they receive money from Spain, 450. zeal of the clergy against them, ib. are declared guilty of treason and their estates forfeited, 451. defeat the King's army, ib. are dispersed on the King's approach, 452. go abroad and give security to keep the peace, ibid. return to Scotland, and petition for leave to reside in their own houses, 455. this granted by a convention of estates, ib. recant their errors and are absolved from excommunication, 463. relapse, and are again reconciled to the church of Rome, ib. are restored to their estates and honours 464
Lorrain, Cardinal, gets some of the best benefices in Scotland - 98
——— Princes of, their ambitious views, 102. instigate the Dauphin and Q. Mary to take the titles of King and Queen of England, ib. resolve to invade England, 103. and to check the Reformation in Scotland, ibid. the Cardinal's great influence over the young King, 116. drives the Queen Regent of Scotland to violent measures, 120. their violences occasion a conspiracy against them, 138. are forced to withdraw their troops from Scotland, 139. they insult the Scottish ambassador, 146. have great power over the young King and Queen, 147. are forced to contract their views on the death of the King - - 148
Luther, a bold and principal promoter of the Reformation, 84. the rapid progress of his doctrine - ibid.

M

Major, John, his history of Scotland, some account of - - 3
Maitland of Lethington, secretary to Mary Queen Regent, leaves her service and joins the Congregation, 129. his character, ib. is sent by them ambassador to Q. Elizabeth, 130. sends them assurances of her protection, 132. is sent by Q. Mary to the court of England, 162. makes a concession to Q. Elizabeth, ib. 163. accompanies Q. Mary in a progress to the north, 172. he is employed by Q. Mary to desire a personal interview with Q. Elizabeth, 176. publicly accuses Knox of preaching seditious doctrine concerning resistance, 189. intimates to Q. Elizabeth the intention of Q. Mary to marry Darnly, 193. prudently conceals her resentment from Q. Elizabeth, 195. proposes moderate measures with regard to Q. Mary when imprisoned, 262. attends the Regent when called on to accuse her in England, 284. he disapproves of this measure, ibid. his intrigue with the duke of Norfolk, 286. 298, 299. is imprisoned by the Regent, 303. is relieved by Kirkaldy, and secured in the castle, ibid. proposes a coalition of the two parties after the murder of the Regent, 310. accedes to the Queen's party, ibid. is deprived of his office of secretary, and proclaimed traitor, 313. is attainted in a Parliament of the King's party, 320. agrees with Mar, 331. his views in refusing a reconciliation with Morton the Regent, 336. rejects overtures of a treaty with him, ibid. is besieged by him in the castle of Edinburgh, 338. is forced to capitulate and surrender to the English general, ibid. to avoid the Regent's resentment he dispatches himself, 340. several of his letters, Appendix - - 623 657
Maitland, Sir John, is made secretary for Scotland, 397. contrives with others in promoting Q. Elizabeth's interest there, ibid. attempts against him by Capt. James Stewart, late of Aubin, 428. they prove abortive, and he is advanced to be chancellor, ibid. an attempt to remove him from that office, frustrated, 437. his death, 453. a copy of verses in honour of him, wrote by the King - - ibid
Mar, Earl of, that title conferred on the Prior of St. Andrews, 171. accompanies the Queen in a progress to the north, 172. he and his adherents narrowly escape assassination, 173. is created Earl of Murray, 174. See *Murray*.

Mar, the title is conferred on L. Erſkine, 174. the perſon of the young Prince put into his hands, 240. his reſolution of preſerving him from Bothwell, 252. is choſen Regent, 323. labours to bring about a general peace, 331. is thwarted by Morton and his aſſociates, ib. dies of melancholy, 332. his character - - ibid.

—— the young Earl, being impoſed on by Morton, turns out his uncle from the caſtle of Stirling, 347. joins the Ruthven conſpirators, 364. he with the others ſeize Stirling caſtle, and erect their ſtandard, 374. is attainted and his eſtate forfeited, 387. is pardoned, and reſtored to his eſtate and honours - - - 400

March, counteſs of, her infamous marriage with the Earl of Atron 360

Mary of Guiſe, Q. Dowager of Scotland, takes a conſiderable ſhare in the government, 74. is much addicted to the French intereſt, ibid. projects a marriage of her daughter to the Dauphin of France, ib. becomes inſtrumental in promoting the Reformation, 79. aſpires to the office of Regent, 80. promotes diſſection to the preſent one, and favours the reformers, ibid. 81. viſits the court of France, ibid returns to Scotland to take poſſeſſion of the Regency, 82. after ſome oppoſition ſhe obtains it, 83. confers ſeveral offices of truſt upon ſtrangers, 90. propoſes to lay a tax upon land, 91 is forced to drop it, 92. tries in vain to excite a war with England, ibid. the nobles vigorouſly oppoſe her meaſures, 93. treats the reformers with great reſpect, 94. obtains a conceſſion from the Parliament in favour of the Dauphin, 97. her artful management of the reformers, ibid 98, beſtows the vacant benefices on foreigners, ibid. ſhe alters her conduct to the reformers, 101. remonſtrances againſt the violent meaſures of the Princes of Lorrain, 104. is perſuaded by them to perſecute the reformers, ibid. her raſh anſwer to their remonſtrance, 105. ſummons their preachers to appear before her, ibid. breaks a promiſe ſhe had made them, 106. marches with an army againſt them, 107. concludes a treaty with them, ib. this ſhe again breaks, 108. her ſeverity at Perth, ibid. her ſcheme diſcovered, ibid. ſhe goes to attack them, 109. has again recourſe to negotiation, ibid. ſhe is ſtartled at their demands and gets time to anſwer them, 111, violates another treaty, ibid. loſes Perth, and forced to abandon Stirling and Edinburgh, ſhe retires with precipitation to Dunbar, ibid. marches to attack the reformers at Edinburgh, 114. makes another treaty with them, ibid. her artifices to undermine the Prior of St. Andrews, 118. gets a reinforcement of French troops, who fortify Leith, 119. ſhe diſregards a remonſtrance of the reformers, 120. is influenced by French counſellors, and perſuaded to violent meaſures, ibid. retires to Leith on the approach of the reformers army, 121. her prudent and artful conduct there, ibid. her haughty and imperious anſwer to a freſh remonſtrance from them, 122. is, by a convention of them, deprived of her office of Regent, 124. foments differences among them, 126. is deſerted by her principal ſecretary, Maitland of Lethington, 128. leads French troops againſt the reformers, 132. retires into the caſtle of Edinburgh on the approach of the Engliſh, 135. her death and character, 137. repented of her violent meaſures, 138. liſtened to the inſtructions of a reformed preacher - - ibid.

Mary Queen of England, her proſecuting reign, 83. her death - 99

—— Queen of Scots, born, 57, a propoſal to marry her to Ed. VI. 59. ſhe is demanded by Henry VIII. ib. her marriage to the Dauphin of France propoſed, 74. a treaty for that purpoſe concluded, 75. ſhe is ſent to be educated in France, ibid. is impoſed on by the artifices of the French in the treaty of marriage, 95. her marriage celebrated with great pomp, ib. they take the title of King and Queen of England, 102. ſhe makes conceſſions to the Congregation, 139. declares Q. Elizabeth's right to the crown of England, 140. ſhe acquires an entire aſcendant over her huſband, 147. ſhe is overwhelmed with great affliction on his death, and retires to Rheims, 148. ſhe is invited by the convention to return to Scotland, 151. an emiſſary from the catholics in Scotland propoſes violent meaſures to her, ib. ſhe is determined to moderation by the French and the Prior of St. Andrews, ib. 152. is prevailed on to prepare for her return to Scotland, 153. the origin of the diſcord between her and Q. Elizabeth, ibid. her pretenſions to the crown of England, 154. is envied on account of her beauty, 156. demands a ſafe conduct from Q. Elizabeth, which is refuſed, 157. leaves France with great reluctance, ib. 158.

lands at Leith, 159. is much affected by the change of her situation, ib. her accomplishments of body and mind, 160. the servants of her chapel insulted, 161. procures the free exercise of her religion, ib. issues a proclamation in favour of the Protestants, ib. employs them solely in the administration, 162. attempts to gain Q. Elizabeth's favour, ib. makes a concession to her, ib. which is rejected, 163. she makes her public entry into Edinburgh, ib. an insult offered to her religion on that occasion, ib. discourages the attempts of the papists to gain her favour, 165. her aversion to the family of Hamilton, ib. makes a progress into the north, 172, 173. her ministers narrowly escape assassination, ib. is refused access to the castle of Inverness, ib. when in the utmost consternation is relieved by the Monros and other clans, 174. her forces defeat Huntley's rebellion, ib. she desires an interview with Q. Elizabeth, 176. negotiations concerning her marriage, 177. to please her subjects, determines against a foreign alliance, 180. determines not to ratify the treaty of Edinburgh, ib. further negotiations for her marriage, 182. discovers the views of Catharine of Medici, 183. Lord Robert Dudley recommended to her as a husband by Q. Elizabeth, ib. she is highly offended at this, 184. dissembles with Q. Elizabeth, 185. entertains thoughts of marrying Lord Darnly, ib. she recalls Lennox, 186. is affronted at a letter of Q. Elizabeth's, 187. her prejudice against the reformed, and zeal for the catholic religion, 188. is taken with Darnly at first sight, 190. is greatly moved at Q. Elizabeth's insulting craftiness, ib. 191. negotiates with the court of Rome for a dispensation to marry Darnly, ib. and the consent of the court of France, ib. imposes on Randolph, but applies to Q. Elizabeth for consent to her marriage, 193. which she affects to refuse, ib. in resentment she proposes to send an angry message to Elizabeth, which Maitland prevents, 195. justifies her conduct to the English ambassador, ib. endeavours to get Murray's consent, ib. courts the pope's protection, and receives a subsidy from him, 196. prevents a plot against Darnly, 198. summons her vassals to take arms against Murray, 199. and him to appear before her, 200. her marriage with Darnly celebrated, ib. she confers the title of King of Scots upon him, 201. this step censured, ib. her resentment against the malecontents, ib. she marches against them, 201. rejects the intercession of Q. Elizabeth in their behalf, ib. continues her march against the rebels, ib. drives them out of Scotland, 203. her further resentment against them, 204. has recourse to several devices to raise money, ib. her prosperity promotes her religion, 205. her deliberations concerning the exiled Lords, 206. determines to treat them with lenity, 207. is diverted from this by her religion and French influence, ib. 208. this the source of her after-misfortunes, 209. her intention to restore popery, ib. is disgusted with Darnly's insolent behaviour, 210. her familiarity with Rizio offends the King, 211. vindicated from any criminal correspondence with Rizio, 212. uses her utmost endeavours to prevent his murder, 214. she is confined by the conspirators, ib. she gains the King, and escapes from them, 215. is reconciled to the exiled nobles, ib. her hatred to Darnly increases, 219, 220. and favour for Bothwell commences, ib. extinguishes some domestic feuds among the nobles, 221. is delivered of her son James VI. in the Castle of Edinburgh, ib. invites several foreign princes to his baptism, 222. continues to treat Darnly with neglect, ib. her attachment to Bothwell increases, ib. prevents Darnly's intended flight, 224. visits the borders, 225. an instance of her regard for Bothwell on that occasion, ib. how she rivalled Q. Elizabeth, 226. her right of succession favoured by the English parliament, ib. she endeavours to avail herself of that opportunity, 227. she takes an extraordinary step in favour of popery, 228. receives a present from the pope, but stops his nuncio at Paris, 229. endeavours to procure a better subsistence for the reformed clergy, ib. her aversion to the King excessive, becomes melancholy, 230. goes to Stirling to celebrate her son's baptism, ib. is greatly offended at the King's behaviour on that occasion, ib. restores the popish ecclesiastical jurisdiction, 233. her neglect of the King during his sickness, 234. the breach between them becomes irreparable, 235. she visits him at Glasgow, ib. presses him to come to Edinburgh, 237. her suspicious behaviour to him there, ib. issues a proclamation for discovering his murderers, 238. is supposed to have been accessary to it, 239. is charged with it abroad, as well as at home, ib. goes to visit her son at Stirling, 249. is met on her return by Bothwell,

who seizes and carries her to Dunbar, ib. this supposed with her consent, ib. is conducted to Edinburgh, 250. and married to Bothwell, 251. sends an apology to the courts of France and England, ib. her conduct causes a general indignation against her abroad, 253. is alarmed at a combination of the nobles against her, ib she publishes a manifesto to vindicate her conduct, ib. is conducted to the castle of Borthwick, 254. marches with Bothwell's forces against the confederate Lords, ib. an attempt of an accommodation proves vain, 255. is forced to surrender to the confederates, 256. is insulted by the soldiers and mob, ib. is carried to Edinburgh, where many abuses are offered her, 257. is sent a prisoner to Lochlevin Castle, 258. Q. Elizabeth interposes in her behalf, 260. the English ambassador is refused access to her, 261. various proposals among the confederates concerning her, 262. they oblige her to resign the government, 263. is much moved with the freedom of the Earl of Murray, 266. her party among the nobles become dispirited, 268. her resignation of the Crown accepted by the parliament, and her imprisonment declared lawful, ib. her letters to Bothwell read, and she declared accessary to the King's murder, 269. escapes from Lochlevin, 270. arrives at Hamilton, ib. is attended by many nobles and a numerous army, ib. an association signed in her defence, 271. her imprudence in hazarding a battle, 272. her army defeated by the confederates, 273. her precipitate flight into Galloway, ib. rashly determines to retire to England, 274. goes thither against the advice of her attendants, ib. 275. arrives at Carlisle, ib. writes to Q. Elizabeth, imploring her good offices, ib. receives letters of condolence from her, and demands admittance into her presence, 277. this refused, and why, ib. offers to submit her cause to Q. Elizabeth, ib. is much deceived in her expectation from it, 279. and offended at the reserve shewn the Regent; and recalls her consent to the conference, ib. the accusations against her produced by the Regent, 291. is accused likewise by the Earl of Lennox, 292. her commissioners refuse to answer, and demand a personal interview, ib. they protest against future proceedings, ib. a suspicious circumstance against her, 293. her commissioners withdraw from the meeting, ib. her resolute answer to a harsh proposal of Q. Elizabeth, 294. avoids any farther progress in the inquiry, 295. is enraged at the proceedings, and proposes desperate measures, 296. spreads chimerical conjectures with that view, ib. proposes a divorce from Bothwell, 298. is influenced by the D. of Norfolk's schemes, ib. exchanges many letters and love-tokens with him, 299. consents to proposals from the English nobles, 300. a rebellion by her adherents against Q. Elizabeth, 303. is removed to Coventry, 304. Q. Elizabeth thinks of delivering her up to the Regent, 305. this project how disappointed, 306. accession of several to her party after the murder of the Regent, 310, 311. they endeavour to foment a war with England, ib. her authority proclaimed at Linlithgow, ib. her parties defeated by the new Regent, 313. the answers proposals by Q. Elizabeth, 315. attempts in vain to get foreign assistance, ib. appoints commissioners to frame a treaty for her liberation, 316. this proving fruitless, she is more strictly confined, 317. the invalidity of her resignation declared in a parliament held by her adherents, 320. act of parliament in England to curb her and her party, 323. she looks for protection from the King of Spain, 324. is denied the privilege of an ambassador at the Court of England, 326. is more closely confined and watched, ib. proceedings against her in England, 329. her interest neglected by the French, ib. is hurt by the massacre at Paris, 330. her adherents divided into two factions, 336. one of them joins with Morton the Regent, 338. review of the characters of her adherents and opponents, 339. her forlorn situation, 349. is carried to Buxton Wells, ib. loses several of her friends by death, 341. sends a letter and presents to her son, 351. her messenger, why dismissed without seeing him, ib. her uneasiness at his confinement by the Ruthven conspirators, 367. complains to Q. Elizabeth of her hard usage, ib. and begs her intercession for the King her son, ib.

ib. Throgmorton's conſpiracy in her favour, 385, 386. a fruitleſs negociation with Q. Elizabeth, 388. is alarmed at an aſſociation in defence of Q. Elizabeth, 389. is committed to more ſevere keepers, 390. betrayed by Lord Gray the Scotch ambaſſador, 391. a ſtatute for the preſervation of Q. Elizabeth proves fatal to her, 394. is more rigorouſly treated, ib. her complaints to Q. Elizabeth diſregarded, 395. is, by the French ambaſſador's intereſt, removed to Tuthbury, ib. is unduti fully treated by the King her ſon, ib. 396. her paſſionate complaint to the French ambaſſador on that occaſion, ib. threatens to diſinherit him, ib. ſeveral diſcoveries alledged againſt her, 406. ſhe is guarded with unuſual vigilance, 408. her domeſtics, papers, &c. are ſeized, ib. ſhe is conveyed to Fotheringay Caſtle, ib. deliberation concerning the method of proceeding againſt her, 409. is ſuſpicious of poiſon or private murder, ib. vindicates herſelf to the D. of Guiſe, ib. the commiſſioners for trying her arrive at Fotheringay Caſtle, 410. her ſpirited ſpeech when refuſing to plead, ib. is at length prevailed on, ib. ſhe proteſts againſt the authority of the court, 411. the accuſation againſt her, ib. her defence, ib. her ſentence, 413. irregularities in her trial, ib. her ſentence is confirmed by parliament, 414. who demand the execution of it, ib. France interpoſes feebly in her behalf, 415. the ſentence againſt her publiſhed, 417. ſhe is treated with the utmoſt rigour, ib. her laſt requeſt to Q. Elizabeth, ib refuſes the aſſiſtance of a Proteſtant Biſhop or Dean, 418. artifices uſed to inflame the people againſt her, 419. her behaviour at her death, 420. 423. ſentiments of hiſtorians concerning her, 423. her character, 424. her perſon deſcribed, ib. is buried firſt at Peterborough, and afterwards in Weſtminſter-Abbey, 425. letters from her, Appendix, 604. 610. 648. her will, App. 649. objections againſt her by Walſingham, App. 644. what courſe to be taken with her, ib. a Diſſertation on the genuineneſs of her letters to Bothwell. End of the vol.

Maxwell, Lord, arrives from Spain, and prepares forces to join the Spaniards, 433. his followers diſperſed, he is taken priſoner ibid.

Melvil is ſent by the French King to obſerve the motions of the Queen Regent and her adverſaries, 116. ſent to make up a difference between Elizabeth and Mary, 187. brings about an appearance of friendſhip between them, ibid. is ſent to inform Q. Elizabeth of the birth of K. James VI. 222. puts a letter into the Queen's hand againſt her marriage with Bothwell, 248. is forced to fly from court, ib. adviſes K. James to moderate meaſures upon his eſcape from the Ruthven conſpirators 369

Melvil, Mr. Andrew, a clergyman, his character, 342. zealouſly oppoſes epiſcopacy, ibid. declines the civil juriſdiction in eccleſiaſtical matters, 373. is forced to fly into England to avoid perſecution ibid.

Melville, Mr. James, miniſter of Anſtruther, his encomium on the eloquence of Knox the reformer 334

——— Sir Robert, ſent by K. James to intercede with Q. Elizabeth for Q. Mary while under ſentence, 488. a memorial of his to the King, Append. 664

——— Maſter of the houſhold to Q. Mary, takes his laſt farewel of her, 422 her parting ſpeech to him ibid.

Mildmay, Sir Walter, ſent by Q. Elizabeth with propoſals to Q. Mary 514

Monluc, Biſhop of Valence, employed by the French to conclude a peace with England and Scotland, 139. terms agreed to by him 139—141

Montgomery appointed Archbiſhop of Glaſgow, 362. is refuſed and excommunicated by the General Aſſembly for his immoral life ibid.

Montmorency, Conſtable of France, endeavours to prevent the Dauphin's marriage with Q. Mary, 94. his prudent advice to Henry II ibid. makes a ſlender appearance in favour of Q. Mary 329

Morton, Earl of, his irreſolute conduct as to the Reformation, 128. accompanies Q. Mary in a progreſs to the North, 172. inſtigates Darnly to be avenged of Rizio, 211. takes the direction of that enterpriſe, 213. is admitted into the Queen's preſence, who promiſes him a pardon, 214. is forced to fly into England, 215. obtains his pardon on Bothwell's interceſſion, 232. ſeizes a caſket with letters from Q. Mary to Bothwell, 239. he is, by Q. Elizabeth's interpoſition, in favour with the King's party, after the murder of the Regent, 310. appointed one of the commiſſioners to treat with the Queen's party, 316. his demands fruſtrate the meeting, ibid. 317. is entirely influenced by the court of England, 321. commands the King's forces at Leith, 327. has ſeveral ſkirmiſhes with the Queen's forces, ibid. chiefly betwixt Edinburgh, and commits

commits great cruelties, ibid. a ſuſpenſion procured by the Engliſh and French ambaſſadors, 328. a coalition of parties prevented by him, 331. he is choſen Regent, 332. his mercenary ingratitude to the Earl of Northumberland, ibid. obtains the temporalities of the Archbiſhopric of St. Andrews, 333. labours to procure a peace between the two parties, 335. attempts in vain to gain Maitland and Kirkaldy, 336. makes a treaty with Charlebeault and Huntly, 337. gets poſſeſſion of the Caſtle of Edinburgh, 338. his ſeverity to Kirkaldy and his brother, 340. his adminiſtration becomes odious, ib. connives at the diſpute of the clergy, 342. he irritates the nobles, 343. Argyll and Athol refuſe to anſwer his ſummons, ibid. makes a vain attempt againſt Lord Claud Hamilton, ibid. diſcovers the deſigns of the nobles againſt him, and propoſes to reſign his office, 345. his reſignation accepted by the King gives univerſal joy, 346. obtains an approbation of his conduct, and a pardon in ample form, 346. continues to watch the motions of his adverſaries, 346. is forced to ſurrender the caſtle of Edinburgh, 347. reſumes his authority, ibid. gains the caſtle of Stirling, and a ſeat in the Privy Council, 348. procures a meeting of the parliament at Stirling, ibid. his ſecurity ratified in it, ibid. forces are raiſed for and againſt him, 349. he is reconciled to his adverſaries by the interceſſion of Q. Elizabeth, ibid. is ſuſpected of foul play at an entertainment at his own houſe, 350. his illegal proceedings againſt the family of Hamilton, ib. the King's new favourites undermine him, 352, 353. he endeavours to prevent them, 353. Q. Elizabeth interpoſes in his favour, 354. is charged with being acceſſary to the late King's death, 355. he is confined in different priſons, ibid. diſcovers an attempt to reſcue him, 356. all his friends are turned out of office, 358. he is tried and condemned, ibid. his reſolute calm behaviour and confeſſion before and at his death, 359. his body is treated with ignominy 360

Murray, Earl of, late Prior of St. Andrews, goes with a handful of men againſt Huntly, 174. by his great ſkill and courage he gains a complete victory, 175. his grant is confirmed by parliament, 180. cabals againſt him by Lennox and Darnly, 191. his averſion to Darnly and other Court favourites, 195. calls Bothwell to ſtand a trial, 196. he and his aſſociates are made the dupes of Q. Elizabeth's policy, 198. concerts to ſeize Darnly and carry him to England, ib. this prevented by the Queen, ibid. avoids aſſaſſination intended him by Darnly, 199. evidences of theſe plots, ibid. the Queen's vaſſals are called to arms againſt him, ibid. he is ſummoned to appear before her, ibid. is again ſummoned and outlawed on his non-appearance, 201. is forced to fly with his aſſociates into Argyleſhire, 202. they are intended for by Q. Elizabeth, ibid. are purſued by the Queen, and obliged to fly into England, 203. they meet with unexpected ill-treatment from Q. Elizabeth, ibid. courts Rizio to intercede with the Queen for him, 206. many of his old friends ſolicit for him, ibid. the Queen's favour how intercepted, 207. a parliament is called to attaint them, 209. this how prevented, ibid. he and his aſſociates arrive at Edinburgh, 214. are graciouſly received by the King and Queen, ibid. are alarmed at the Queen's eſcape, but ſoon reconciled to her, 215. he is appointed Regent during the minority of K. James VI. 266. his harſh behaviour in a viſit to the Queen, ibid. the ſucceſs of his wiſe adminiſtration, 267. procures many of the Queen's party to join him, 268. gets the places of ſtrength into his hands, ibid. his office of Regent confirmed by parliament, ib. his ſevere and haughty behaviour diſguſts ſeveral, 269. his adherents in great conſternation at the Queen's eſcape from Lochleven, 271. his prudent conduct on that occaſion, ib. defeats the Queen's army at Langſide, 273. he improves this victory, 274. his lenity to the priſoners, ibid. he calls a parliament, 281. is called upon by Q. Elizabeth to vindicate his conduct, 283. he arrives at York, 284. complaints of the Queen's commiſſioners againſt him, 286. he behaves with great reſerve on this occaſion, ibid. intrigues with the Duke of Norfolk, ibid. his demands from the Engliſh commiſſioners, 287, 288. anſwers to the complaints of the Queen's commiſſioners without touching on the murder, 289. agrees to have the conference removed to Weſtminſter, ibid. is affectionately received by Q. Elizabeth, which offends Q. Mary. 290. is prevailed on by Elizabeth to accuſe Mary of the murder, 291. produces his evidences, 293. is diſmiſſed by Q. Elizabeth without approving or condemning his conduct, 295. his party is ſecretly ſupported by her, ib. returns to Scotland, and by his vigorous conduct,

duct, breaks the Queen's party, 296. he receives proposals both from Q. Elizabeth and Q. Mary, 298. he disappoints Norfolk, 302. is accused of his murder, 306, 307. his character, ibid. his death much lamented by Q. Elizabeth and the King's party, 309. much anarchy the consequence of, ib. his heir murdered by the Earl of Huntly, 443. part of a letter of his, App. 518

Ness, fortress in Q. Mary, is sent by her with a letter and protests to her son, 351. why dismissed without seeing him, ibid. is sent with offers of humble resignation to Q. Elizabeth, 389. is seized and sent prisoner to London, 408. is produced an evidence against her 413

Nevil discovers and prevents Parry's design to murder Q. Elizabeth 393

Nobles, their exorbitant power, 13, 14. become turbulent and formidable, 14. their power greater in Scotland than in any other kingdom, 18. the causes of this, 19—20. their power of long duration, 23. it becomes intolerable to the princes, 24. they are humbled in France and England, ibid. but continue vigorous in Scotland, ibid. dissends among them encouraged, ibid. their jurisdiction circumscribed, 25. greatly mortified by King James V. 39—41. are disappointed in a scheme to renew their resentment, 43. refuse to attend the king into England, 44. they seize the revenues of the church, 244. refuse to part with them to the reformed clergy, 145. 231. dissensions among them, 169. 170. a convention of them approve the Queen's marriage to Darnly, 256. several of them recommend Bothwell as a husband to her, 247. a strange combination of them on this occasion. ib. a body of them associate against her and Bothwell, 253. a party of them favour the Queen, 259. they are much dispirited by the good conduct of Murray, 268. they are much provoked by Morton the Regent, 343. think of retreat from the King, ibid. infuse suspicion of the Regent's power into him, 344. a meeting of them by him, 345. a party of them conspire against the King's favourites, 363. they seize his person and drive them off, 364. their neglect of, and ingratitude to the clergy 401. the King attempts to reconcile their feuds and unite them, 429. See *Lords*.

Norfolk, Duke of, appointed a commissioner to treat the cause between Queen Mary and her accusers, 289. forms a scheme of mounting the throne of Scotland, 286. intrigues with the Regent and Maitland with that view, ibid. 289. he represents the demands of the Scots to Q. Elizabeth, 288. his further negotiations with respect to Q. Mary, 298, 299. is imposed on by the artifice of the Regent, 299. gets the consent of many of the English nobles, 300. his project approved at foreign courts, 301. is discovered and deserted by Q. Elizabeth, 302. flies to Norfolk, ib. he surrenders on a second summons, and is sent prisoner to the Tower, ibid. is set at liberty, and continues his intrigues with Q. Mary, 324. is betrayed by his secretary, ibid. is seized with his dependents, and accused by them, 325. is executed 326

Northumberland, Earl of, attempts a rebellion in favour of Q. Mary, 303. his schemes defeated, 304. he is raised by the Regent, 305. is delivered up to the governor of Berwick, and put to death at York 338

Normanby, Counsel of, some account of the transaction concerning the Earl of Essex's ring 490

O

Octavians, their institution and extensive power, 453. they undermine the King's measures, 454. become odious, and a combination is formed against them, ib. being split into factions, and envied by the courtiers, they resign their commission 464

Ogilvie, Lord, has a scuffle with Sir John Gordon in the streets of Edinburgh 172

Oliphant, Master of, joins the Ruthven conspirators 164

Ormond, Prince of, sends an agent into Scotland, 357. his instructions, ibid. is disappointed 497

D'Oysel, commander of the French troops in Scotland, endeavours to promote a war with England, 93. his design frustrated, ib. instigates the Queen Regent to violent measures against the Reformers, 109. is sent by Q. Mary covenant a safe conduct from Q. Elizabeth, during her voyage to Scotland 157

Paisley, Abbot of, arrives in Scotland, 62. creates a suspicion of the Earl of Lennox, in the Earl of Arran, Regent, ib. is made Archbishop of St. Andrews 70

Parry,

Paris, the maſſacre of, 329, 330. rejoicings of the Popiſh party on account of it, 330. the conſternation and horror of the Proteſtants - ibid.
Parliament, the nature of their original conſtitution, 46—48. particularly that of Scotland, 48. 56. 141. a parliament held on an extraordinary occaſion, 141. a difficulty ſtarted and anſwered, 142. their proceedings with regard to religion, 143. condemn the popiſh and approve the reformed doctrines, 144. ſeveral other regulations of the ſame tendency, ibid. their validity called in queſtion, 145. exceed their powers, ib. their proceedings laid before the King and Queen, 146. a parliament in favour of Bothwell, 244. paſſes an act in favour of the Reformation, ibid. confirm the proceedings of the confederates, 268. parliaments held both by the King's and Queen's parties, 320. another of the Queen's adherents, ibid. attaint upwards of 200 of their opponents, 321. a parliament at Stirling by the King's party, ibid. ſurpriſed by the Queen's adherents, ibid. another at Stirling, 348. one at Edinburgh, 353. and on the King's being of age, 428, 429. ſeveral new laws made there, 429, 430. the leſſer barons admitted into parliament - 431
Parry, Doctor, undertakes to murder Q. Elizabeth, 393. is encouraged by and gets abſolution from the Pope, ibid. his deſign how prevented, ib. is executed - - 394
Parſons, a Jeſuit, publiſhes a book in favour of the Infanta of Spain's right of ſucceſſion to the crown of England, 452
Paſquinades and Pictures, accuſing Bothwell of Darnly's murder, 238, 239. 244. a law made againſt them ibid.
Patten, William, his account of the Scottiſh ancient military diſcipline 72, 73
Paulet, Sir Amias, is appointed one of Q. Mary's keepers, 390. his rigid ſeverity to her, 394. diſcovers her foreign correſpondence, 406. his rude treatment of her, 417. refuſes to be concerned in privately aſſaſſinating her, ibid. a letter from him, Appendix - 655
Pellevé, Biſhop of Amiens, is appointed to ſupport the popiſh intereſt in Scotland, 121. drives the Queen Regent to violent meaſures againſt the Proteſtants - - ibid.
Perth, an inſurrection of the Reformers there againſt the Papiſts, 106 its inhabitants are ſeverely treated by the Queen Regent, 108. a French garriſon placed there. ib. is beſieged and taken by the Proteſtants, 111. a great tumult there on account of Gowrie's conſpiracy - 473
Philip II. of Spain, married to Mary Queen of England, 83. reinforces his army with her troops, 92. his great power, 397. joins in the holy league, ib. reſolves to invade and conquer England, 432. his preparations for it dilatory, 435. his deſign fruſtrated, ib. meditates an invaſion of England through Scotland, 436. intrigues with ſome Scottiſh Lords with that view, ib. remits money to them - 430
Pinkie, the battle of - 72
Pius V. Pope, excommunicates Q. Elizabeth, deprives her of her kingdom, and abſolves her ſubjects - 313
Polly, one of Babington's conſpirators againſt Q. Elizabeth, 405. diſcovers the plot - ib.
Poltrot, a frantic zealot, aſſaſſinates the D. of Guiſe at the ſiege of Orleans 178
Pont, Mr. Robert, a miniſter, and one of the Lords of Seſſion, proteſts againſt laws oppreſſive to the Church 375
Popery, where moſt flouriſhing, 84. what kind prevailed in Scotland, 85. was partly grafted on Heatheniſm, 112. is much hurt by the congregation, 143. their doctrines condemned by Parliament, 144. the juriſdiction of their courts aboliſhed, ib. their worſhip prohibited, ib. attempt in vain to gain Queen Mary's favour, 165. the great influence of Popery - 208
Power, the balance of, the great conſequence of preſerving it 52
Preſbyterian church government eſtabliſhed in Scotland, 148. is confirmed by King James VI. - 443
Proteſtants, in France, violently perſecuted, 117, 118. are moderate on Q. Mary's arrival from France, 160. are employed by her in the adminiſtration, 161. a ſcheme for ſuppreſſing them all over Europe, 208. a league formed for that purpoſe, 397. See *Reformation*.

R

Ramſay, a favourite of K. James III. narrowly eſcaped being hanged with his aſſociates, 35. is appointed captain of the King's guard, and created Earl of Bothwell, 36. See *Bothwell*.
Randon, Sieur de, employed by the French to negotiate a peace with England and Scotland, 139. terms agreed on by him - ib.
Randolph, ſent to encourage the Congregation, 127. congratulates Q. Mary's arrival in Scotland, 162. urges the ratification of the treaty of Edinburgh, ib.

ib. is imposed on by Q. Mary in the affair of her marriage with Darnly, 193. sent into Scotland on the murder of Murray, 320. interposes for Morton, 337. flies from Scotland in the night. 358. is sent again there, and concludes a treaty with England, 402. several of his letters, App. 555. 559. 562. 564. 574. 579, 580. 583, 584

Ratcliff. See *Sussex.*

Reformation, its progress in Scotland. 78. account of its first preachers, ib. is much influenced by England, 79. two remarkable instruments of promoting it, ib. it makes great progress, 83. causes contributing to promote it, 84. its advantages over popery, ib. is favoured by the Q. Regent, 93. an instance of regard for it in Scotland, 94. the whole party not chargeable with Cardinal Beaton's murder, 99. a priest burnt for embracing it, 100. the Reformers violently persecuted by the Archbishop of St. Andrews, ib. are protected by the Q. Regent, ib. apply in vain to the Popish clergy, 101. a persecution against them pushed on by the French interest, 104. the preachers summoned before the Regent, 105. they are deceived and declared outlaws by her, 106. a riotous insurrection of them at Perth against the Papists, ib. conclude a treaty with her, which she presently breaks, 107, 108. they take arms against the Queen, 109. insist on redressing civil as well as religious grievances, 110. the influence of the Reformation on liberty, ib. they besiege and take Perth, 111. they seize Stirling and Edinburgh, ib. commit great violences on churches and monasteries, ib. an instance of their moderation, 112. fix their residence in Edinburgh, 113. the Queen prepares to attack them, 114. make another treaty with her, ib. are forced to abandon Edinburgh, &c. but allowed the exercise of their religion, ib. demand the expulsion of the French army, ib. are aware of their danger from France, 117. their party strengthened, ib. remonstrate against the French fortifying Leith, 120. take arms in their own defence, 121. remonstrate again to the Regent, 122. are highly incensed at her imperious answer, ib. 123. by advice of a convention deprive the Queen Dowager of the office of Regent, 124. examination of the different principles on which it was conducted in different countries, 149. the growth of it encouraged by Parliament, 268, 269. See *Congregation.*

Regalities, the ample jurisdiction of 13

Repledging, the privilege of, to whom belonging 13

Revenge, encouraged both by custom and law 24

Revenues of the church, proceedings of Parliament concerning them 144

Ridolphi, an agent for the Pope at London, negotiates for Q. Mary, 324. his arguments with the D. of Norfolk ib. 325

Rizio, David, some account of him and his rise, 191. Darnly's connection with him, 193. his good offices courted by Murray, 206. his great interest and familiarity with the Queen, 210. incurs the hatred of Darnly, 211. and of the friends of the exiled Lords, ib. a combination formed to murder him. 212. he is murdered in the Queen's palace 213, 214

Romans invade Britain, 2. give the earliest accounts of the Scots ib.

Ross, Bishop of, zealously promotes Q. Mary's interest at London, 325. is confined to the Tower, and threatened with capital punishment, 326. is set at liberty and banished the kingdom, ib. some letters of his, *Appendix*, 612 626

Rubay, a foreigner, made keeper of the great Seal of Scotland 91

Ruthven, Lord, the murder of Rizio proposed to him by Darnly, 211. his part in that transaction, 213. 214. is admitted into the Queen's presence, who promises him a pardon, 214. did not repent of it at his death 219

——— created E. of Gowrie, he and his associates seize the King, and remonstrate against his favourites, 364. drive them from him, ib. their conduct approved in an assembly of the states, 366. the King escapes from them, 368. by Arran's influence violent measures are determined against them, 370. Q. Elizabeth intercedes in their behalf, ibid. are declared guilty of high treason, 372 take refuge in foreign countries, ibid. are harshly treated by Q. Elizabeth, 391. a reconciliation with her brought about, 399. return to Scotland, and are reconciled to the King, 400. their moderation on being restored to their estates and honours, 401. their perfect of their friends the Clergy ibid.

——— that name abolished by Parliament, 481. See *Gowrie.*

Ruthven said, what 365

S

Sadler, Sir Ralph, his representations of the resentment of the Scots, for the seizure of their ships by Henry VIII 61. appointed a commissioner to hear

hear the cauſe between Q. Mary and her accuſers - 284
Sandilands of Calder, Lord St. John, ſent to lay the proceedings of the congregation parliament before the King and Queen in France, 148. is coldly received, and diſmiſſed without a ratification by them - ibid.
Savage, a Spaniſh officer, his deſperate reſolution to kill Q. Elizabeth 404, 405
Scotland, its ancient hiſtory fabulous, 1. the origin of the Scots, ib. their hiſtory why remarkably obſcure, 3. ſome account of the writers of it, ib. 4. is divided into four periods, 4. a review of the third era, ib. ſome account of the controverſy concerning its independency, 5—7. this the cauſe of great animoſities and much bloodſhed, 8. the ſtate of Scotland when Bruce began his reign, 9. it begins to have an influence on the fate of diſtant nations, 55. influence as to the balance of power, ib. ſtate of Scotland at the birth of Q. Mary, 57. is invaded by the Engliſh, and ſeveral places burnt and plundered, 65, 66. much alienated from the Engliſh, 66. a peace concluded between England, France, and Scotland, 67. a new breach with England, 70. is invaded by a great Engliſh army, 71. the Scots are defeated with great ſlaughter, 72. a marriage agreed of their young Queen and the Dauphin of France, 75. they ſoon repent this ſtep, 77. a fray at Edinburgh occaſions their utter averſion to the French, 78. this inflamed by another incident, 91. they decline a war with England, 92. ſend repreſentatives to witneſs Q. Mary's marriage, 94. their care as to the marriage articles, ibid. they refuſe conſent to the demands of the French, 96. four of their deputies ſuſpected to be poiſoned, ibid. which much increaſes the averſion, 97. grant the crown matrimonial to the Dauphin, ib. they apply to the Engliſh for aſſiſtance againſt the French, 126. 129. an Engliſh fleet arrives for that purpoſe, 133. conclude a peace with England and receive an Engliſh army, 134. a treaty between England, France, and Scotland, 138. both Engliſh and French armies leave Scotland, 141. they rejoice much at the death of the young King of France, 148. ſend to invite the Queen to Scotland, 151. reject propoſals of an ambaſſador from France, 152. ſtate of Scotland on Q. Mary's return from France, 159. great zeal of the nation againſt Popery, 160. the Scots brought into contempt by Q. Mary's conduct, 253. in a miſerable condition after the murder of Murray the Regent, 320. ſtate of factions at that time in it, ibid. 321. a league concluded between Scotland and England, 402. a view of the revolutions of Scotland ſince the acceſſion of James VI. 495—503. of the policy of the ſtate, 495—499. and of the church, 499. of the genius and taſte as to learning - - 503—505
Scot of Buccleugh enters and ravages England after the murder of Murray the Regent, 309. the deſign of this 311
Scroop, Lord, ſent to conſole with, and watch Q. Mary on her arrival in England, 277. ſhe is committed to his cuſtody at Bolton caſtle, 281. why his fidelity is diſtruſted, and the Queen removed - - - 290
Seſſion, Lords, and court of, by whom firſt appointed, 25. the Preſident and one half of their number of the Clergy 87
Seton, Lord, aſſiſts the Queen Regent in defending Leith - 128
Shrewſbury, Earl of, the charge of Mary's perſon committed to him, 290. why removed from that office, 390. is appointed to ſee the ſentence againſt her executed, 420. letter from him and the Earl of Kent concerning her death, Appendix 666
Sinclair, Biſhop of Roſs, a zealous Papiſt, concurs, as Preſident of the Seſſion, in acquitting Knox of a charge of treaſon 182
Somerſet, Duke of, enters Scotland with a powerful army, 71. is reduced to a very critical ſituation, 72. defeats the Scots with great ſlaughter, ibid. cabals againſt him at the court of England, force him to return, 73. is ruined by his enemies - - - 76
Spain, great warlike preparations there, 432. See *Armada*. The Infanta of, ſet up as candidate for the crown of England - - 452
Spaniſh ambaſſadors ordered to leave England, for intriguing in favour of Queen Mary - - 326. 386
Sprot, his diſcoveries concerning Gowrie's conſpiracy, 474. 475. is executed ib.
Stewart, James, Prior of St. Andrews, is appointed to carry the crown matrimonial to the Dauphin of France, 99. See St. *Andrews*.
——— Eſme, Lord Aubigne, his arrival in Scotland, 352. See *Aubigny*.
——— Captain James, his character, 352. becomes a favourite of King James, ibid. accuſes Morton of the murder of the late King, 355. is created Earl of Arran. See *Arran*.
——— Col. William, commander of the King's

King's guard, contributes to his escape from the Ruthven conspiration, 369. seizes the Earl of Gowrie 374
Stewart, Francis, created Earl of Bothwell, 436. joins in a treasonable correspondence with the popish Lords, ibid. See *Bothwell*.
——— all of that name combine in opposing the Chancellor 446
Stirling seized by the Reformers, 111. a parliament there by the King's party, 321. is surprised by the Queen's adherents, and a great fray arises ib. 322
Strozzi, Leon. commands a body of French sent into Scotland, 70. reduces and demolishes the castle of St. Andrews, ibid. See *France*.
Succession, a remarkable statute concerning it - - - - 70
Superintendents proposed in the Church of Scotland, 150. their business ib. 151
Sussex, Earl of, one of the commissioners to hear the cause between Q. Mary and her accusers, 284. assembles a powerful army on the borders, 310. he and Scroop enter and ravage Scotland 311

T

Tax upon land first proposed in Scotland 91
Throkmorton, Sir Nicholas, sent ambassador extraordinary from Q. Elizabeth, to oppose Q. Mary's marriage with Darnly, 194, 195. his intercession for the exiled lords is much regarded, 206, 207. his enmity to Cecil, ib. is sent to negociate Q. Mary's liberation, 260. is refused access to her by the confederates, 261. some letters of his, Appendix, 589. 590. 596. 599. 601, 602, 603
——— Francis, is charged with a conspiracy against Q. Elizabeth, 385. at first he denies, but afterwards confesses it, ib. reflections on his confession, ib. 386 is executed ib.
Tichbourne designs to assassinate Q. Elizabeth 405
Treason, persons guilty of it, tried after their death by the law of Scotland 475

U

Valmont, a foreigner, made comptroller of Scotland 90
Union of Scotland and England, the advantages of - - 498

W

Wallace, Sir William, bravely asserted the liberty of his country 8
Walsingham, secretary to Q. Elizabeth, sent ambassador to King James VI. 321. returns without success, ibid. makes a favourable report to her concerning James, ibid. interposes in favour of Q. Mary, 390. discovers Babington's conspiracy, 405. A letter from him, Appendix 633
Warwick, Earl of, succeeds Somerset in the government of England 76
Westminster, the conferences concerning Q. Mary there ——— 289
Westmorland, Earl of, attempts a rebellion in favour of Q. Mary, 303. his schemes discovered and defeated, 304, 305. he escapes to the Netherlands ibid.
Whitborn, the Prior of, imprisoned for celebrating mass 281
Willox, a minister, declares for resistance and deprivation of tyrannical rules, 123. is called to attend the Q. Dowager on her death-bed 138
Wishart, George, his illegal execution revenged 68
Witchcraft, vigorously prosecuted by K. James VI. in Scotland 442
Wotton, dean of Canterbury, employed to negociate a peace with France 139
——— Sir Edward, sent by Q. Elizabeth into Scotland, 398. his character, ibid. soon gets into high favour with K. James, ibid. procures a league between the two kingdoms, ibid, 399. undermines Arran's power, ib. forms a plot on King James, and forced to withdraw without taking leave 400

Y

York, the conference there concerning Q. Mary 284

Z

Zouche, Lord, sent ambassador by Q. Elizabeth, to remonstrate against K. James's lenity to the popish lords, 449. his treachery on that occasion, ibid.

THE END.



I N D E X